

EXHIBIT E

Civil Action File No. 5:23-mc-00001-LGW-BWC
*Plaintiff Coalition for Good Governance's Reply to Defendant's Response to
Motion for Sanctions*

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

Donna Curling, et al.,

Plaintiffs,

CIVIL ACTION FILE

vs.

NO. 1:17-cv-02989-AT

Brad Raffensberger, et
al.,

Defendants.

~~~~~

VIDEO 30(b)(6) DEPOSITION OF  
COFFEE COUNTY BOARD OF ELECTIONS & REGISTRATION  
THROUGH  
WENDELL STONE

September 1, 2022

9:07 a.m.

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Atlanta, Georgia

S. Julie Friedman, CCR-B-1476

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Ernestine Thomas-Clark  
Jesse Wiggins, Videographer

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Exhibit 0002 1-7-21 Screen Shots of Men 249  
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Exhibit 0003 E-mail Chain Ending with Friday, 255  
May 7, 2021 1:51:10 PM E-mail,  
from Germany, to Feehan, et al.,  
Subject: RE: [EXTERNAL] RE:  
Dominion notice to Customers re:  
Chain of Custody, Ending Dominion  
089394

(Original Plaintiff's Exhibits 1 through 31 and  
Defendant's Exhibits 1 through 3 have been attached  
to the original transcript.)

1 THE VIDEOGRAPHER: Today's date is  
2 September 1st, 2022, and we are on the record at  
3 9:07 a.m. This will be the videotape 30(b)(6)  
4 deposition of Coffee County Board of Elections  
5 given by Wendell Stone.

6 Would counsel present please identify  
7 themselves for the record.

8 MR. CROSS: David Cross of Morrison &  
9 Foerster on behalf of the Curling Plaintiffs;  
10 and with me is my colleague, Adams Sparks.

11 MR. DELK: Steven Delk on behalf of the  
12 witness.

13 MR. MILLER: Carey Miller here on behalf  
14 of the State Defendants.

15 I will be having, joining me later Diane  
16 LaRoss also on behalf of the State Defendants.

17 THE VIDEOGRAPHER: Thank you.

18 Would the court reporter please swear in  
19 witness.

20 WENDELL STONE, having been first duly  
21 sworn, was examined and testified as follows:

22 CROSS-EXAMINATION

23 BY MR. CROSS:

24 Q. Good morning, Mr. Stone.

25 A. Good morning.

1 Q. Can you just state your full name for the  
2 record.

3 A. My name is Wendell Stone.

4 Q. So no middle name?

5 A. No middle name.

6 Q. Okay. And where do you currently live.

7 A. I live in Coffee County in the Ambrose  
8 community of Coffee County, Douglas as the county  
9 seat.

10 Q. Okay. What's your current address?

11 A. [REDACTED]  
12 [REDACTED]

13 Q. Okay.

14 MR. DELK: And, David, if I can just  
15 stipulate here at the beginning, I'll try to  
16 stay out of your hair. Mr. Stone is testifying  
17 solely today in a representative capacity on  
18 behalf of the Board, and no answer he provides  
19 will be representative of any of his individual  
20 thoughts or opinions or testimony in this case.

21 MR. CROSS: Okay. Understood. There  
22 maybe be some questions that get to him  
23 personally, but if they do we can --

24 Mr. Delk: Sure.

25 MR. CROSS: -- take them as they come.

1           Q.     (By Mr. Cross) Okay. So, Mr. Stone, you  
2 understand you're -- you've taken the same oath you  
3 would take if you were testifying in a courtroom?

4           A.     I do.

5           Q.     Okay. Have you been deposed before?

6           A.     No.

7           Q.     Just briefly then -- I'm sure Mr. Delk  
8 has gone over it with you.

9                     The court reporter next to you is going to  
10 take down everything we say. There's a video. It's  
11 just important that we not speak over each other, so  
12 she can get a complete record.

13                    If you have any questions about anything I  
14 ask you, please just let me know. I'm happy to  
15 clarify.

16                    If you want to take a break at any point,  
17 absolutely fine. The only thing is if there's a  
18 question pending, you have to answer that question  
19 before we break.

20           A.     Thank you.

21           Q.     Mr. Delk may object from time to time.  
22 You still have to answer the question unless he  
23 instructs you not to.

24           A.     I understand.

25           Q.     Okay. So you understand you're here

1       testifying as a representative on behalf of the  
2       Coffee County Board of Elections; is that right?

3             A.       I do.

4             Q.       Okay. And what did you do to prepare for  
5       today's deposition?

6             A.       To prepare for today's deposition, I read  
7       the subpoenas. I met with counsel.

8             Q.       And how long did you meet with counsel?

9             A.       You mean for a total, how long did I meet  
10       with counsel?

11            Q.       Yeah. About how long did you meet with  
12       counsel to prepare for today?

13            A.       I probably met with counsel for four  
14       hours.

15            Q.       Okay. And did you speak with anyone other  
16       than counsel to prepare for today?

17            A.       No.

18            Q.       Okay. Did you look at any documents?

19            A.       Other than the subpoenas, no.

20            Q.       Okay. All right. Let me hand you what  
21       we're going to mark as Exhibit 1.

22                    (Exhibit 1 was marked for identification.)

23            Q.       (By Mr. Cross) This is a copy of one of  
24       the deposition subpoenas. You can flip through it,  
25       and just tell me if you've seen this before.

1 A. Okay.

2 Q. Grab some glasses?

3 A. I'm going to have to get my glasses  
4 because --

5 Q. We're all getting there.

6 A. -- I mean, the text is beyond what I can  
7 do here, so let's see.

8 So yes. I have seen this before.

9 Q. Okay. So take a look. Yeah. Right where  
10 you are is fine.

11 You see the heading that says, "TOPICS"?

12 A. I do.

13 Q. And are you prepared to testify on the  
14 topics that are listed here through Page 7 today?

15 A. I am.

16 Q. Okay. And so do I understand --

17 Well, let me ask you -- let me ask you  
18 this.

19 Do you understand that the County produced  
20 some documents in response to a subpoena? Were you  
21 aware of that?

22 A. I'm aware that documents were requested.  
23 I -- I'm not aware of the documents that were  
24 produced by the County.

25 Q. Okay. So in preparation for today, you

1 didn't look at any documents that were produced?

2 A. When you say documents, do you mean --

3 Okay. Are you referring to video?

4 Q. Well, that's part of it. I was going to  
5 ask you separately about that.

6 A. Okay. I have seen that.

7 Q. Okay. You've seen the video that was  
8 produced to us?

9 MR. DELK: And I'll object to the extent  
10 anything that was from me or our firm is  
11 privileged.

12 He's asking about other generalized  
13 documents.

14 THE WITNESS: Uh-huh.

15 Q. (By Mr. Cross) Well --

16 A. They came from the County. That were  
17 requested by the County, and I'm not aware of what  
18 those are, and the Board is not aware of what those  
19 are.

20 Q. (By Mr. Cross) So let -- Let's make sure  
21 we're talking about the same thing, so we served a  
22 documents subpoena.

23 A. Give me an example of the documents you're  
24 talking about. That was --

25 MR. DELK: And, David, if it helps, you



1           may be able to help out, some specific examples.  
2           Much of the document production was handled by  
3           counsel.

4           MR. CROSS:   Okay.

5           MR. DELK:   But if you want to go through  
6           specific documents, that may be helpful.

7           Q.        (By Mr. Cross)   Okay.   Yeah.   We're going  
8           to do that.   I was trying to figure out.

9                     So you mentioned a video.   Is that video  
10           that shows the outside of the Coffee County Elections  
11           Office and people coming and going?

12           A.       It is.

13           Q.       Okay.   And is --   Where did that video  
14           come from?

15           A.       The video, well, it was retained on the  
16           system that is used in the County.   I mean, video  
17           cameras are at various places throughout the county,  
18           and so that's where that video came from.

19                     And yes.   That video is from the door of  
20           the Elections Office.

21           Q.       Okay.

22           MR. MILLER:   And, David, can I just  
23           interject real quick before we get too far down  
24           the road.   The Exhibit Share online, I realize  
25           we only have limited paper copies.   Are we

1           admitting these as we go?

2                   MR. CROSS:   Yeah.

3                   MR. MILLER:   I figure this one, I mean,  
4           it's easy enough; but it -- it's not showing in  
5           my Marked Exhibits under issue.

6                   MR. CROSS:   Oh, yeah.   Somebody should be  
7           introducing them into Exhibit Share.   Let me  
8           make sure the team knows that.

9                   THE COURT REPORTER:   Do we need to go off?

10                   MR. CROSS:   Actually, can you just e-mail  
11           my folks and make sure somebody's doing that.

12                   Q.        (By Mr. Cross)   Okay.   And the -- the  
13           video that was produced to us that you're talking  
14           about, was that video that was reviewed by the  
15           Elections Board with respect to letting Miss Hampton  
16           and Miss Ridlehoover go in February of 2021?

17                   A.        Okay.   Now on behalf of the Board and to  
18           my knowledge, the Board has not seen that video.   The  
19           video was not utilized by the Board to let Miss  
20           Hampton go, but the video -- a -- not that video, but  
21           video did contribute to them being let go from their  
22           positions, but that video is -- is not in question.  
23           Not -- I mean, it's not a part of what you're asking  
24           me about.

25                           In other words, everything is on video and

1 as desktop video for the county manager. And I don't  
2 know who else has access to it within the county  
3 management, but I mean --

4 So I mean, are you asking me about  
5 their -- about their dismissal?

6 And they did resign. I mean, they weren't  
7 dismissed. Now if -- Well, I mean, effectively,  
8 they were.

9 But are -- Are you asking me about how  
10 we -- how it was decided?

11 Q. No. I'll -- I'll come to that.

12 What I'm trying to understand is sort of  
13 the providence of the video we got.

14 Are you aware that the video that we  
15 received ends on February 19, 2021?

16 A. February 19. I'm terrible with dates.

17 I'm not aware of the date that the video  
18 ended.

19 Q. Do you know why the video doesn't go  
20 beyond whatever date it ends at, which I can tell you  
21 is February 19th, twenty --

22 A. The --

23 Q. -- twenty one.

24 A. I know that the --

25 Unless there's a reason to capture video,

1 the video writes over every 60 days. I -- It's not  
2 my system. I don't know how to run the system, but I  
3 know that it writes over, and so that's what happens  
4 to the video. In other words, there's not a video  
5 that's going to last from that day till this day.

6 Q. Right. So what I'm trying to understand  
7 is then how do you have video that goes back before  
8 February 19, 2021.

9 A. Okay. Are you referring to the video  
10 that --

11 Q. That was produced --

12 A. -- I looked at --

13 Q. -- to us.

14 A. -- yesterday?

15 Q. Well, I don't know what you looked at.

16 A. Okay.

17 MR. DELK: We've got to be -- Try not to  
18 talk over him, but y'all work together.

19 MR. CROSS: Yeah. Yeah.

20 Q. (By Mr. Cross) So let me make sure I  
21 finish my question and -- and --

22 A. Uh-huh.

23 Q. -- before you start talking.

24 So I don't -- I don't know what video you  
25 looked --

1 MR. CROSS: Can you tell me. Did he look  
2 the video that you guys produced?

3 MR. DELK: We hit what I suspect will be  
4 the most pertinent parts.

5 MR. CROSS: Okay. But it's the same --

6 MR. DELK: Now it's what was recently  
7 produced, the out -- the exterior footage of --

8 MR. CROSS: Yeah.

9 MR. DELK: -- the front door of the  
10 election building.

11 MR. CROSS: Okay.

12 THE WITNESS: And that was a January 6th,  
13 January 7th.

14 MR. DELK: There were several dates, but  
15 it encompasses that.

16 THE WITNESS: Uh-huh.

17 Q. (By Mr. Cross) Okay. So we're talking  
18 about the same video that was produced to us, and it  
19 sounds like maybe you looked at portions of it.

20 A. Exactly.

21 Q. Okay. So what I'm trying to understand is  
22 why does the County have video from that time period  
23 if the video would otherwise get overwritten.

24 A. Okay.

25 MR. DELK: Object to the form to the

1 extent that you're talking about the County  
2 separately and apart from the Board of  
3 Elections.

4 THE WITNESS: As I know -- As I know of,  
5 that the video was Open Records requested by  
6 Misty Hampton, who is our former elections  
7 supervisor. That was in -- as -- as far as I  
8 know and as far as the Board would know.

9 And as I say again, the Board did not see  
10 that video, to my knowledge; but that's where it  
11 came from.

12 Q. (By Mr. Cross) I see. So the video that  
13 we got was pulled at some point in the past in  
14 response to an Open Records Request from Miss  
15 Hampton?

16 A. Uh-huh.

17 Q. Yes?

18 A. Yes.

19 Q. Okay. And sorry. You have to say yes or  
20 no just so it's clear.

21 A. And I understand that.

22 Q. Okay. Where was that video pulled from to  
23 produce to us?

24 Do you know where it was saved? Like was  
25 it on somebody's computer? Was it on a county

1 system?

2 A. It was on the county system; but exactly  
3 how that is done, I'm not sure; but it was saved by  
4 the County.

5 Q. And is it your understanding that there's  
6 no other video available for the late 2020, early  
7 2021 time period for the Elections Office?

8 A. That's my understanding.

9 Q. And what is that based on?

10 A. It would be outside of the 60 days.

11 Q. Oh. Do you know if any efforts were made  
12 to confirm --

13 A. And listen. I'm not trying to be evasive.

14 Q. Sure.

15 A. But I am absolutely terrible with dates  
16 and remembering, you know, when things specifically  
17 happened; and now that's just -- I think it's a  
18 product of getting old. I don't know but --

19 Q. I understand. No worries. No worries.  
20 Do your best.

21 Do you know what efforts were made to see  
22 whether there is any other video that exists for the  
23 Elections Office?

24 A. I'm -- I assume.

25 Q. And I don't want you --

1 MR. DELK: No.

2 Q. (By Mr. Cross) -- to guess.

3 MR. DELK: Don't assume.

4 MR. CROSS: Yeah.

5 MR. DELK: If you know, you know. If you  
6 don't, you don't.

7 THE WITNESS: Okay.

8 MR. DELK: But don't assume. Just --

9 THE WITNESS: I --

10 MR. DELK: -- listen to his question, and  
11 through.

12 THE WITNESS: Then I'm going to have to  
13 say that I don't know.

14 Q. (By Mr. Cross) That's fine.

15 A. I don't know the answer to that.

16 Q. That's fine. Definitely do not want you  
17 to guess or speculate on anything. If you don't  
18 know just --

19 A. Uh-huh.

20 Q. -- feel comfortable saying you don't know.

21 THE COURT REPORTER: If I could make a  
22 request. Can you face forward. You're having a  
23 private conversation. I need to hear you.

24 THE WITNESS: And I -- I --

25 THE COURT REPORTER: I'm having to look at



1 the screen.

2 THE WITNESS: I understand that, and thank  
3 you for reminding me.

4 THE COURT REPORTER: It will make our  
5 video nicer, too.

6 THE WITNESS: Uh-huh.

7 THE COURT REPORTER: I know it's awkward.

8 THE WITNESS: That's okay. Do the best I  
9 can.

10 Q. (By Mr. Cross) So when was the first time  
11 you saw that video?

12 A. Yesterday.

13 Q. It sounds like you looked at particular  
14 days?

15 A. Uh-huh.

16 Q. Yes?

17 A. Yes.

18 Q. Okay. And -- And what days did you  
19 review?

20 A. January 7th.

21 Q. Anything else?

22 A. I don't recall the date of any other --

23 Q. Okay.

24 A. -- other. Possibly January 8th.

25 Q. And did you see anything in that video

1       that you had not seen or heard about before?

2           A.     I did.

3           Q.     Which was what?

4           A.     I saw people that I did not recognize  
5 going into the Elections Office, as well as people  
6 that I did recognize going into the Elections Office.

7           Q.     And this on January 7th of 2021?

8           A.     That's correct.

9           Q.     Okay. And are you aware that on January 7  
10 of 2021, a team of individuals with forensic  
11 expertise went into the Coffee County Elections  
12 Office and copied software and elections data from  
13 various equipment?

14          A.     On behalf of the Board, we have not been  
15 notified by the Secretary State's Office, by the  
16 County Commission, by any governing authority that  
17 anyone breached our security.

18                 I'm not going to sit here and try to act  
19 like I don't know, and the extent of my knowledge  
20 before yesterday and after working with counsel was  
21 the media presentations that have come out related to  
22 what you're asking me about.

23          Q.     So the first -- The first that the Board  
24 of Elections learned that individuals had breached  
25 the Coffee County voting equipment in January of 2021

1 was through the press?

2 MR. DELK: Object to the form.

3 You can answer.

4 THE WITNESS: That's the -- my  
5 understanding.

6 Q. (By Mr. Cross) Okay. And that's true for  
7 you personally?

8 MR. DELK: Object to the form.

9 He's not here to answer questions  
10 personally. This was noticed as a 30(b)(6). If  
11 you guys want to ask him individual questions,  
12 we'll schedule that at a later date.

13 MR. CROSS: Well, he's a member of the  
14 board. If he knew something earlier --

15 MR. DELK: Then you can ask him on behalf  
16 of the Board, but I'm -- I'm trying to avoid --

17 MR. CROSS: I understand. I understand.

18 MR. DELK: -- any issues like we've had in  
19 past ones, so if we can keep it to the Board,  
20 'cause that's how it was noticed.

21 MR. CROSS: Steve, we haven't had any  
22 issues.

23 MR. DELK: And I'm not trying to make any  
24 now. I'm trying to make it neat, so we'll --

25 MR. CROSS: I know. I hear you.

1 MR. DELK: -- have no trouble with the  
2 Board.

3 MR. CROSS: I know. I'm kidding with you.

4 THE WITNESS: And -- and, again --

5 MR. DELK: Well, no. No.

6 MR. CROSS: Yeah. We're good.

7 THE WITNESS: Don't say --

8 MR. DELK: Wait till --

9 THE WITNESS: -- anything.

10 MR. DELK: -- the question's on the table.

11 MR. CROSS: Yeah. Yeah.

12 Q. (By Mr. Cross) All right. So just so  
13 we're clear, your testimony on behalf of the Coffee  
14 County Elections Board is that the Board itself was  
15 not aware of the events that you saw in the video  
16 that you reviewed for January 7 of 2021. The Board  
17 was not aware of those events before press reports  
18 came out in recent weeks; is that fair?

19 A. That's correct.

20 Q. Okay. But there's one exception at least  
21 to that, right, which is Eric Chaney?

22 MR. DELK: Object to the form.

23 THE WITNESS: Excuse me?

24 MR. DELK: I'm just stating an objection.

25 Listen to his question. Unless I tell you

1 otherwise, answer as you're able.

2 THE WITNESS: I am aware that Eric  
3 Chaney's name was in -- It was in the articles  
4 that -- that I read.

5 Q. (By Mr. Cross) But you saw Eric Chaney  
6 going to and from the Elections Office on January 7  
7 of 2021?

8 A. On that video, yes. I did.

9 Q. Okay. So there was at least one member of  
10 the Board before yesterday, a former member of the  
11 board who was aware of the events that you saw on  
12 that video, right?

13 A. A former member of the board, are you  
14 referring to Ed Voyles?

15 Q. No. To Eric Chaney.

16 A. Eric. A former member of the board.  
17 Yeah. Okay. And I meant because Eric's resignation  
18 is only recent.

19 Q. Right.

20 A. Yes. He is a former member of the board.  
21 Yes.

22 Q. And so Mr. Chaney, you know now from the  
23 video you saw, was aware of -- of the events that  
24 happened in the Elections Office on January 7 of 2021  
25 while he was a member of the board?

1 MR. DELK: Object to the form.

2 THE WITNESS: The -- Now when the article  
3 came out, I myself questioned Eric Chaney. Are  
4 you guilty? Are you involved in this, as it  
5 states in the article?

6 He told me no.

7 And I don't know if I need to answer that  
8 question. That is what I did. That is not what  
9 the Board did.

10 Q. (By Mr. Cross) Okay. But you know that  
11 when Mr. Chaney told you no, that that was not a  
12 truthful statement?

13 A. I suspect that that is true.

14 MR. DELK: Object to the form.

15 Q. (By Mr. Cross) Well, to be clear, Mr.  
16 Stone, you don't suspect. You know, because you saw  
17 him in the video on that day, right?

18 A. I did.

19 Q. Okay. And you -- you sort of anticipated  
20 where I was going to go. You said that you  
21 personally asked him about the events.

22 Did anyone officially on behalf of the  
23 Board of Elections ask Mr. Chaney about his  
24 involvement in the events in the -- the Elections  
25 Office from January 2021?

1 MR. DELK: Object to form.

2 You can answer.

3 THE WITNESS: Not in a -- Not in a board  
4 setting. No.

5 Q. (By Mr. Cross) What about just one on  
6 one?

7 Any -- Any official questions for Mr.  
8 Chaney about those events on behalf of the Board?

9 A. Other than what I asked Mr. Chaney myself,  
10 I'm not aware of any -- any questions that were asked  
11 of Mr. Chaney.

12 Q. All right. Were you surprised to see him  
13 in the video in light of what he said to you?

14 MR. DELK: Object to the form.

15 THE WITNESS: I was surprised.

16 MR. DELK: Hold on. Hold on. That's  
17 getting into individual stuff outside of the  
18 30(b)(6) capacity, so I'm going to object.

19 MR. CROSS: Well, I was asking him as the  
20 Board. I mean, I can --

21 Q. (By Mr. Cross) Look, look, Mr. Stone,  
22 when I say you today, I'm referring to the Board --

23 A. To the Board, yeah.

24 Q. -- 'cause that's your representative  
25 capacity.

1 MR. DELK: And, remember, you're not here  
2 as Wendell. You're here as --

3 THE WITNESS: As --

4 MR. DELK: -- the Board.

5 THE WITNESS: -- the Board.

6 MR. DELK: So --

7 THE WITNESS: Yes.

8 MR. DELK: -- let's keep --

9 THE WITNESS: Uh-huh.

10 MR. DELK: -- it in that box. Okay?

11 THE WITNESS: Uh-huh. Uh-huh.

12 MR. DELK: With that understanding, try to  
13 respond.

14 Q. (By Mr. Cross) So I'll ask the question  
15 again.

16 Was the Coffee County Elections Board  
17 surprised to see Mr. Chaney in that video?

18 A. And I mean, on behalf of the Board, I  
19 don't know what their reaction would have been. Had  
20 we discussed this in a group setting, in a board  
21 meeting setting, I don't know what their reaction.

22 And if -- if -- I mean, if I continue to  
23 answer that, it's going to be speculation on my  
24 part --

25 Q. No, no.



1 A. -- to answer.

2 Q. I don't want you to speculate.

3 So there -- So there hasn't been any  
4 discussion among the members of the board about the  
5 video showing Mr. Chaney there; is that fair?

6 A. That's fair.

7 Q. Okay. And then you also mentioned Ed  
8 Voyles. He is a former chair of the Coffee County  
9 Elections Board, right?

10 A. He's our immediate past chairman.

11 Q. Right. And -- And you also saw in the  
12 video that Mr. Voyles was in the Elections Office on  
13 January 7 of 2021?

14 A. I did see that.

15 Q. Was it a surprise to the Board that Mr.  
16 Voyles was there?

17 A. Well, the Board has not seen that  
18 information as far as I know.

19 Q. Okay. So as far as you know, you're the  
20 only member of the board who has reviewed this video?

21 A. Yes.

22 MR. CROSS: Okay. Adam --

23 MR. SPARKS: Yes.

24 MR. CROSS: -- can you grab the screen  
25 shots. So it's 52, beginning of 52.

1           Q.       (By Mr. Cross) So, Mr. Stone, I'm going  
2 to show you some screenshots we have taken from the  
3 video; and we have the video itself, if we need to  
4 look at it; but I thought this might be easier. So  
5 if you --

6                   MR. CROSS: And we'll mark this as Exhibit  
7 2. I'm looking at Tab 52.

8                   (Plaintiff's Exhibit 2 was marked for  
9 identification.)

10          Q.       (By Mr. Cross) So if you look, you can  
11 see that the -- The video has some helpful  
12 information. If you look at the top just above the  
13 photo, do you see where it says, "Camera 1"?

14          A.       Uh-huh. Yes.

15          Q.       And then it's got a date -- January 7,  
16 2021.

17                   Do you see that?

18          A.       I do.

19          Q.       And then the next to that, that's the time  
20 that the video was recorded at 12:28 p.m. on January  
21 7, right?

22          A.       It is.

23          Q.       Okay. And so this is a camera that sits  
24 outside of the front of the Coffee County Elections  
25 Office; is that right?

1 A. That's correct.

2 Q. And so it's looking away from the door  
3 into the -- into the -- the walkway?

4 A. It is.

5 Q. Okay.

6 MR. MILLER: And, David, I -- I'm -- Now  
7 that we're getting into more substantive  
8 exhibits, we just need to get this figured out.

9 MR. SPARKS: It should be a couple minutes  
10 more. On the horizon --

11 MR. CROSS: Yeah.

12 MR. SPARKS: -- right now.

13 MR. CROSS: It's coming up. Yeah.

14 MR. SPARKS: Yeah.

15 Q. (By Mr. Cross) And so the individual  
16 who's walking in here, that's Eric Chaney, right?

17 A. I would identify that person as Eric  
18 Chaney.

19 Q. Okay. And then if you flip to the second  
20 page of Exhibit 2 -- just flip it over -- now we're  
21 on -- you see we're on the next day, January 8, 2021  
22 at 1:52 p.m.?

23 A. Yes.

24 Q. And that's also Eric Chaney, right?

25 A. It is.

1           Q.     And in both of these pictures, he's  
2 walking towards the building as if he's entering the  
3 building, right?

4           A.     Appears to be.   Yes.

5           MR. CROSS:   Okay.   Can you grab 53.   You  
6 can hand me 54, 55, too.   Let me do this.

7           MR. SPARKS:   All right.

8           MR. DELK:   I need to grab one now, so  
9 they'll be --   You all right?

10          MR. MILLER:   They're starting to show up  
11 here.

12          MR. DELK:   All right.

13          MR. MILLER:   I've got the subpoena here at  
14 least.   That one was easy enough.

15          Q.     (By Mr. Cross)   All right.   I'm going to  
16 hand you what's been marked as Exhibit 3.

17          A.     Oh, lord.

18          Q.     And this is Tab 53 from the binder.

19                 (Exhibit 3 was marked for identification.)

20          THE WITNESS:   A lot of pictures.

21          Q.     (By Mr. Cross)   Yeah.   All right.   So, Mr.  
22 Stone, if you look at Exhibit 3, we have more screen  
23 shots from the video you guys produced.

24                 Do you see that?

25          A.     I do.

1 Q. And here, we've got the same camera.

2 And actually, let me just take it back, a  
3 step back for a minute. All of the video that was  
4 produced to us, do you understand that it's -- all  
5 comes from this same camera that sits just outside  
6 the front entry door to the office?

7 A. Yes.

8 Q. Okay. And there are other cameras that  
9 capture the Elections Office, including inside,  
10 right?

11 A. That's correct.

12 Q. Include -- there's -- There's a camera  
13 that sits over the break room door, right?

14 A. There's a camera that sits in the -- in  
15 the main conference room right near where the  
16 election equipment is held. I mean, all that's under  
17 video.

18 Q. And your understanding is that there's no  
19 video that exists for any other camera for the  
20 Elections Office for this time period of late 2020,  
21 early twenty twenty --

22 A. I --

23 Q. -- one?

24 A. I'm not aware of any other video that  
25 exists or doesn't exist. I -- I'm not aware of the

1 video.

2 Q. Okay. All right. So looking back at  
3 Exhibit 3 --

4 MR. CROSS: Is that a phone?

5 Q. (By Mr. Cross) All right. Looking back  
6 at Exhibit 3, we're at January 7, 2021, 8:32 a.m.

7 And does that look like Jil Ridlehoover  
8 coming into the office?

9 A. It does.

10 Q. Okay. And then if you flip to the next  
11 page, January 7, 2021, 8:39 a.m., do you recognize  
12 that individual?

13 A. I do.

14 Q. Who is that?

15 A. That's Misty Hampton.

16 Q. Okay. And then the next page, January 7,  
17 we're now at 10:40 a.m. Do you recognize those  
18 individuals?

19 A. I -- I recognize them. I don't know  
20 their names, but I -- I recognize that as Miss  
21 Hampton's daughter and her boyfriend.

22 Q. And --

23 A. And I -- I'm sorry. I cannot recall  
24 their names right now, but I --

25 Q. Does Diane -- does --

1                   Sorry. Does Diane (sic) sound right  
2           for --

3           A.       It does.

4           Q.       -- the daughter?

5           A.       It does. Yes.

6                   MR. DELK: Wendell, you're doing fine; but  
7           try not to talk --

8                   MR. CROSS: Yeah.

9                   MR. DELK: -- over him. Okay. Let him  
10          finish.

11                   THE WITNESS: Yeah.

12                   MR. DELK: You're doing fine.

13           Q.       (By Mr. Cross) And you recognize him as  
14          Diane's boyfriend?

15           A.       Yes.

16           Q.       Okay. You just don't remember his name?

17           A.       I don't know exactly the relationship; but  
18          I -- I mean, I'm not -- I'm going to say boyfriend.

19           Q.       Okay. That's fine. That's fine.

20                   And then we get to the next page. We're  
21          on January 7, 10:52 a.m. And that's Eric Chaney  
22          walking in, right?

23           A.       That's correct.

24           Q.       And then the next page, January 7th, 10:53  
25          a.m., that's Ed Voyles, right?

1 A. That's correct.

2 Q. Then the next page, January 7, 11:37 a.m.,  
3 That's Cathy Latham, right?

4 A. That's correct.

5 Q. And Cathy Latham at this time was the  
6 chair of the Republican Party for Coffee County,  
7 right?

8 A. Yes.

9 Q. Did she have any official responsibilities  
10 with respect to elections in Coffee County?

11 A. No.

12 Q. So she -- You wouldn't consider her an  
13 elections official for Coffee County?

14 A. I would not consider her an elections  
15 official.

16 Her role was to provide supervision, if  
17 you want to call it. That is also offered to the  
18 Democratic side as well, and so -- And she  
19 participated in elections in only that way.

20 Q. For -- for example --

21 A. I know she's not an election official  
22 for -- for Coffee County.

23 Q. And -- And, for example, what you're  
24 talking about is during the adjudication process,  
25 each party -- Republican Party, Democratic Party --



1 can have a representative there to supervise?

2 A. That's correct.

3 Q. And Miss Latham might perform that role  
4 for the Republican Party?

5 A. That's correct.

6 Q. All right. If we come to Page 7, now  
7 we're on January 7, 2021 at 11:40 a.m. Do you see  
8 that?

9 A. I do.

10 Q. And that's --

11 A. This is 11:43.

12 Q. Oh.

13 A. Oh --

14 Q. Yes.

15 A. Wait a minute. You're on -- You're on  
16 this page. That's still Cathy Latham. Yes.

17 Q. Right. Okay. And then the next page for  
18 January 7, 2021 at 11:43 a.m., do you see that?

19 A. I do.

20 Q. And that's Cathy Latham escorting three  
21 individuals into the office.

22 Do you see that?

23 A. I do see that.

24 Q. Okay. And the three people she's  
25 escorting in, do you recognize them?

1 A. I don't.

2 Q. Are you familiar with a local forensics  
3 firm in Atlanta called Sullivan|Strickler?

4 A. No.

5 Q. Do you recall learning through the press  
6 or otherwise, that Sullivan|Strickler is the firm  
7 that came in on this date and copied software and  
8 voting data from the equipment in Coffee County?

9 A. I'm not aware of that.

10 Q. Are you familiar with the name Paul  
11 Maggio?

12 A. I'm only familiar with that name from  
13 reading the subpoenas.

14 Q. Okay. Are -- Are you aware that Paul  
15 Maggio was one of the people who led the team to do  
16 the copying in the county office on this day?

17 A. I was not aware of that.

18 Q. Are you familiar with the name Jennifer  
19 Jackson of Sullivan|Strickler?

20 A. I am not.

21 Q. But fair to say the three individuals Miss  
22 Latham is escorting into the office here on January  
23 7, they are not Coffee County election officials.

24 A. They are not.

25 Q. And then we come to the next page, Page 9,

1 January 7, 2021, just a few seconds later, still  
2 11:43 a.m., we have Miss Latham opening the door for  
3 these same individuals, right?

4 A. Yes.

5 Q. Okay.

6 A. Yes.

7 Q. The next page, January 7, 2021, 11:45  
8 a.m., Miss Latham is standing outside the door on her  
9 phone, right?

10 A. She is.

11 Q. Next page, January 7, 2021 a.m., 11 --  
12 I'm sorry. Try that again.

13 On the next page, January 7, 2021, 11:50  
14 a.m., Miss Latham is escorting two more individuals  
15 into the office, right?

16 A. Yes.

17 Q. And do you recognize those two  
18 individuals?

19 A. I don't.

20 Q. Are you familiar with the name Scott Hall?

21 A. As I said, only from reading the  
22 subpoenas. I -- I do recall that name, Scott Hall;  
23 and he was referenced in one of the articles.

24 Q. Okay. And so do you understand from  
25 anything you've read or heard that Mr. Hall was one

1 of the individuals who came into the office on  
2 January 7, 2021 to help orchestrate the copying?

3 A. I'm not. I mean, if you tell me that's  
4 Scott Hall --

5 Q. I -- I'm just asking what you know.

6 A. I -- I'm -- don't know that Scott Hall was  
7 involved.

8 I mean, you're showing me a picture that  
9 says he -- he entered the -- the office there so --

10 Q. But you don't recognize those two  
11 individuals?

12 A. I do not.

13 Q. That's fine. And fair to say neither of  
14 the two individuals Miss Latham is escorting into the  
15 office here were elections officials with Coffee  
16 County?

17 A. That's fair to say. They are not election  
18 officials.

19 Q. And then in the next picture, January 7,  
20 2021, still 11:50 a.m., we have another shot of Miss  
21 Latham about to open the door for those same two  
22 individuals, right?

23 A. Yes.

24 Q. Then in the next picture on Page 13,  
25 January 7, 2021 at 12:56 p.m., we have three

1 individuals standing outside, one of them holding the  
2 door open, right?

3 A. Yes.

4 Q. Do you recognize any of these individuals?

5 A. I don't.

6 Q. They're not Coffee County elections  
7 officials?

8 A. They are not.

9 Q. And -- And the individuals that we have  
10 looked at so far that you don't recognize, to your  
11 knowledge, those people are not any sort of state  
12 officials either, right?

13 A. To my knowledge, they're not.

14 Q. Okay. Then Page 14, January 7, still on  
15 2021, 1:19 p.m., Miss Latham is standing at the door  
16 with another individual in a hat.

17 Do you recognize him?

18 A. I don't.

19 Q. Okay. So that's not someone you recognize  
20 as a county or state official?

21 A. No.

22 Q. January 7, 2021 at 4:46 p.m., there's an  
23 individual leaving and a backpack.

24 Do you recognize him?

25 A. I don't. I'm not -- I --

1 I can't identify who that is.

2 Q. Not someone that looks like a county or  
3 state official to --

4 A. No.

5 Q. -- you?

6 You said no?

7 A. No.

8 Q. Okay. Next, January 7, 2021 at 4:49 p.m.,  
9 there's an individual looks to be leaving the office  
10 holding two bags.

11 Do you see that?

12 A. I do.

13 Q. Do you recognize that individual?

14 A. I don't.

15 Q. Not someone you recognize as a county or  
16 state official?

17 A. No.

18 Q. Do you know what he's got in his bags?

19 A. I do not.

20 Q. January 7, 2021 at 5:24 p.m., individual  
21 coming in, in a hoodie.

22 Do you recognize him?

23 A. I can't identify from the picture --

24 Q. Well --

25 A. -- who that might be.

1 Q. Not someone you recognize as a state or  
2 county official?

3 A. No.

4 Q. Then this if you come to the next page,  
5 January -- still on January 7, 5:24 p.m., do you see  
6 the individual in the hoodie now has his hood off?

7 A. I do.

8 Q. Do you recognize him there?

9 A. I don't.

10 Q. Then we get on the next page to January 7,  
11 6:19 p.m. The same individual in the blue hoodie is  
12 leaving with Cathy Latham out the office door.

13 Do you see that?

14 A. I do.

15 Q. On the next page, January 7, 2021, 7:42  
16 p.m., we see Eric Chaney leaving the office, right?

17 A. That's correct.

18 Q. The next page, January 7, 2021, still at  
19 7:42 p.m., we see Mr. Voyles leaving the door, right?

20 A. That's correct.

21 Q. And then we see two other individuals  
22 from the -- the folks who came in earlier in the day  
23 that you didn't recognize, right?

24 A. That's correct.

25 Q. And you see they're taking some equipment

1 with them?

2 A. I do.

3 Q. The --

4 A. I see that they have something that they  
5 are removing, apparently.

6 Q. The -- The guy in the short-sleeved  
7 shirt, you see he looks to be carrying a case behind  
8 him?

9 A. Uh-huh.

10 Q. Yes?

11 A. I do see that. Yes.

12 Q. Does that look to you like one of the  
13 cases the BMDs are stored in?

14 MR. DELK: Object to the form.

15 THE WITNESS: I -- I can't identify that  
16 as a BMD case. I'd --

17 Q. (By Mr. Cross) Have you seen the  
18 suitcases that the BMDs are stored in?

19 A. Yes. I have seen those. They are black.

20 Q. Does it look similar to that?

21 A. I can't identify if that's a -- a BMD or  
22 not.

23 Q. Okay. Does the Board require any regular  
24 inventory of the voting equipment in the Elections  
25 Office?



1           A.       The Board does not --

2                   Whatever policies are in place for  
3       maintaining the inventory, that's what we do. We  
4       have -- We have only recently dismissed -- Well, I  
5       mean, you know, Misty's no longer our employee; and  
6       so that inventory has recently taken place under  
7       another elections supervisor who came; and so our --  
8       our inventory should be up to date.

9           Q.       Does the Board have any written policies  
10      on doing any sort of inventory check?

11          A.       I'm -- I'm not certain of that.

12          Q.       Has the Board undertaken any efforts to  
13      determine whether the team that came in, in January  
14      of 2021 took any of the voting equipment with them?

15          A.       Now on behalf of the Board, we have not  
16      investigated this. Before I saw the video from  
17      counsel, all we had to go on was the media reports.

18                   And so all of the -- All of the  
19      inventorying, all of the equipment lists, everything  
20      would have been under the direction at that time of  
21      Misty Hampton. She's the person that was hired by  
22      the Board to carry out the duties.

23                   As board members, we're not involved in  
24      the minutia of running the day-to-day operations of  
25      the -- of the Elections Board. We hired a person

1       that we expected to carry out the policies in  
2       accordance with the law and the requirements of the  
3       Secretary of State.

4           Q.       Did the Board approve any of these  
5       individuals coming in to do what that they did on  
6       January 7 of 20 --

7           A.       The Board --

8                   MR. DELK:   Make sure you let him finish  
9       his question.   I know you know where you're  
10      going with it, but --

11           THE WITNESS:   Yeah.

12           MR. DELK:   -- just try to let him finish,  
13      so it makes everything --

14           THE WITNESS:   You know me, Steve.

15           MR. CROSS:   It's okay.

16           MR. DELK:   Okay.   You're doing fine.

17           Q.       (By Mr. Cross)   You were doing fine.

18                   Let me try the question again just so we  
19      get it out.

20                   Did the Board approve any of the  
21      individuals coming in on January 7, 2021, to be in  
22      the office and do any of the work they did there?

23           A.       The Board did not approve that.

24           Q.       Okay.   Do you know whether Eric Chaney  
25      approved that on behalf of the Board or as a member

1 of the Board?

2 MR. DELK: Object to the form.

3 THE WITNESS: I do not know if Eric Chaney  
4 approved of that.

5 I will say any decision made requires a  
6 quorum of the Board.

7 Q. (By Mr. Cross) So Mr. Chaney would not  
8 have the authority on his own to approve that work?

9 A. No.

10 Q. Okay. And as you sit here, the -- the  
11 Board does not have any insight or understanding as  
12 to why Mr. Chaney was here for that work that  
13 occurred.

14 A. The Board -- The Board does not.

15 Q. Is that something the Board is looking  
16 into now?

17 MR. DELK: Object to form.

18 Q. (By Mr. Cross) Or are you relying on the  
19 State for that?

20 A. When the Secretary of State notifies us of  
21 its findings. As I said, as a Board, we have not had  
22 any official notice from anyone that our security  
23 was -- was breached; and when the Secretary of State  
24 notifies us, I'm sure we will properly investigate  
25 the situation.

1           Q.     Do you know if any members of the Board  
2     have had any communications with Ed Voyles about his  
3     participation in the events?

4           A.     I -- I don't -- I don't know.

5           Q.     So we'll look through a few pictures in a  
6     moment.

7                     But do I understand correctly? There has  
8     been no communication from anyone at the state level  
9     with the Board of Elections about what occurred in  
10    the Elections Office on January 7, 2021?

11          A.     There has been no communication with the  
12    Secretary of State's Office.

13          Q.     So to your -- To the knowledge of the  
14    Board, no one on a behalf of the State has, for  
15    example, contacted any of the individuals who were,  
16    you know, present for those events?

17                 MR. DELK: I'll object to the extent -- I  
18    don't know if he's aware of any communication  
19    between respective counsel.

20                 But subject to that, you can respond.

21                 THE WITNESS: I'm not aware.

22          Q.     (By Mr. Cross) And fair to say no one for  
23    the State has contacted any of the board members  
24    about the events of January 7th?

25          A.     That's correct.

1           Q.     Is that a concern to the Board, that  
2 something that happened over a year and a half ago,  
3 the State has not indicated --

4           A.     Uh-huh.

5           Q.     -- any investigation of?

6           A.     We -- We have not discussed this as a  
7 Board, so to be able to answer, there're concerns  
8 concerning this. I -- I'm a -- unable to answer  
9 that.

10                  I mean, I can tell you what I think  
11 personally. Steve is not going to let me but --

12           MR. DELK: Okay. Don't. Do not. You're  
13 not personally testifying. You're testifying as  
14 the Board.

15           THE WITNESS: And I --

16           MR. DELK: They want to stick to the  
17 Board.

18           THE WITNESS: And I appreciate that.

19           MR. DELK: Okay.

20           THE WITNESS: Thank you.

21           Q.     (By Mr. Cross) Was the Board aware that  
22 the Secretary of State's Office seized the EMS server  
23 and the ICC from Coffee County in or around May or  
24 June of --

25           A.     The Board --

1 Q. -- 2021?

2 A. -- was aware of that.

3 Q. When did the Board first learn that?

4 A. I don't -- I don't recall the specific  
5 date that the Board learned that.

6 Q. All right. And what's the Board's  
7 understanding for why that was done?

8 A. The Board was notified by the newly hired  
9 elections supervisor, not the one who's currently in  
10 place, but the -- James Barnes. And he notified us  
11 that there was a piece of equipment that he could not  
12 access.

13 Q. And do you recall that happening in, say,  
14 around late spring of 2021?

15 A. It was in -- It was in that neighborhood.  
16 Yes.

17 Q. And what do you recall learning from Mr.  
18 Barnes about his inability to access certain  
19 equipment and equipment being replaced by the State?

20 A. As I recall, Mr. Barnes was concerned that  
21 the password was a -- was the incorrect password.

22 Q. Was that the password to the EMS server?

23 A. I'm not certain.

24 Q. But it was password to some voting  
25 equipment?

1           A.       Yes.  As -- As I recall, it was a server.

2           Q.       And what did Mr. Barnes convey to the  
3       Board about that situation?

4           A.       He conveyed that he would continue to  
5       trying to access the equipment and that he would need  
6       to involve the Secretary of State's Office to access  
7       the equipment.

8           Q.       And how was that information conveyed to  
9       the Board?

10                  Like was it in a Board meeting?

11           A.       In a Board meeting.

12           Q.       Do you know why that doesn't appear in any  
13       of the Board minutes?

14           A.       I don't know why.

15           Q.       The practice with the Board meetings is to  
16       capture in the minutes, at least at a topical level,  
17       everything that's addressed --

18           A.       Uh-huh.

19           Q.       -- right?

20           A.       It is.

21           Q.       Do you know if there was a decision made  
22       not to include that in the Board minutes?

23           A.       There -- To my knowledge, no.  There was  
24       no decision made to include it or to not include it.

25           Q.       Okay.  Something as significant as being

1       locked out of a voting server and having that  
2       equipment replaced discussed in a Board meeting, you  
3       certainly would expect that to appear in the minutes,  
4       wouldn't you?

5               MR. DELK:   Object to the form.

6               THE WITNESS:   Okay.   In the -- the  
7       day-to-day running of the Election Board office,  
8       okay, we -- we are a governing Board.   We don't  
9       manage what the election supervisor does.

10              We hired the election supervisor, and the  
11      election supervisor is aware of the equipment  
12      they need to access, the data they need to  
13      gather from that equipment.   We don't know.

14              And so it's very likely that that was just  
15      provided to us, and then we very likely did not  
16      recognize the significance of it as a Board;  
17      because as I said, we had the person to run the  
18      office.

19              Q.        (By Mr. Cross)   Does the --   In the  
20      ordinary course, the election supervisor is  
21      responsible for writing up the Board meeting minutes,  
22      right?

23              A.        Yes.

24              Q.        So that would have been Misty Hampton and  
25      then James Barnes?



1 A. That's correct.

2 Q. And before each Board meeting starts, the  
3 Board approves the minutes that are written up,  
4 right?

5 A. That's correct.

6 Q. Is there any more information the Board  
7 has about why the State replaced the EMS server and  
8 the ICC in Coffee County last year?

9 A. From my understanding and the Board's  
10 understanding, the server was replaced because it was  
11 inaccessible at that time.

12 Q. Was there any discussion with the Board  
13 that there was a concern that the equipment may have  
14 been compromised by outsiders, like we now see in the  
15 video?

16 A. I do not recall that discussion  
17 whatsoever.

18 Q. Were you aware that James Barnes testified  
19 in his deposition that that was his concern and his  
20 understanding of why it was replaced?

21 A. I read in the -- I read in the article  
22 that James Barnes found the Cyber Ninja business  
23 card.

24 THE COURT REPORTER: I'm sorry. James  
25 Barnes found the cyber engine?

1 THE WITNESS: Cyber Ninja --

2 THE COURT REPORTER: Ninja.

3 THE WITNESS: -- business card.

4 That's what I read in the article.

5 Q. (By Mr. Cross) Was that article the first  
6 time you had learned that James Barnes had found a  
7 business card for Cyber Ninjas in the Elections  
8 Office?

9 A. And I don't recall exactly if that was the  
10 first time I had learned it or not but --

11 Q. Well, do you recall any discussion at the  
12 Board level about the possibility Cyber Ninjas had  
13 been in the Elections Office?

14 A. I do not recall that.

15 MR. CROSS: Ah, 46. Thanks.

16 Are you loading these in, or is my team?

17 MR. SPARKS: Jenna is doing that.

18 MR. CROSS: Okay.

19 (Exhibit 4 was marked for identification.)

20 Q. (By Mr. Cross) All right. So we're going  
21 to look at --

22 MR. CROSS: It's Exhibit 4?

23 MR. DELK: Yeah. We're on four.

24 Q. (By Mr. Cross) Okay. Which is Tab 46.

25 And you can take a moment to read through

1       that, Mr. Stone, and then just let me know when  
2       you're ready for some questions.

3           A.     Okay.

4           Q.     And here's a bottle of water if you need  
5       it, Mr. Stone.

6           A.     I've got one right down here. Thank you.

7           Q.     Okay. Have you seen Exhibit 4 before now?

8           A.     This letter?

9           Q.     Yes.

10          A.     I have seen that.

11          Q.     Okay. When's the first time you recall  
12       seeing this?

13          A.     As I was reading the information provided  
14       by counsel.

15          Q.     Okay. So is this something you saw in the  
16       last few weeks?

17          A.     Yes.

18          Q.     Okay. This isn't something you saw back  
19       in the timeframe that it was sent in May of 2021?

20          A.     No.

21          Q.     Do you know whether anyone else on the  
22       Board saw this communication with the State in or  
23       around May of 2021?

24          A.     I'm not aware.

25          Q.     Do you know whether Board was aware of

1       this communication at all at that time?

2           A.     I'm not aware.

3           Q.     So if you look at --

4                   Flip to the second page --

5           A.     Uh-huh.

6           Q.     -- so here, you've got an e-mail from  
7       James Barnes, May of 2021.  He's the election  
8       supervisor at that time, right?

9           A.     That's correct.

10          Q.     And he e-mails Chris Harvey at the  
11       Secretary of State's Office, May 7, 2021, 3:57 p.m.

12                   Do you see that?

13          A.     I do.

14          Q.     And you understand Chris Harvey was the --  
15       the state elections director at that --

16          A.     Yes.

17          Q.     -- time?

18                   And let me just get the question done.

19          A.     Excuse me?

20          Q.     Make sure I get the question done.

21                   MR. DELK:  Try not to cut him off.

22          Q.     (By Mr. Cross)  Yeah.  Yeah.

23          A.     Okay.

24                   MR. DELK:  You're doing fine.

25          Q.     (By Mr. Cross)  Yeah.  Doing fine.

1                   The subject, "Coffee County." And  
2                   attachment, you see it says, "cyber ninja.pdf"?

3                   A.       I do.

4                   Q.       And if you flip to the next page, do you  
5                   see there's a -- a picture of what looks to be a  
6                   business card. It says "Doug Logan, Cyber Ninjas" in  
7                   the bottom left?

8                   A.       I do.

9                   Q.       And do you understand this is a business  
10                  card that Mr. Barnes reported to Mr. Harvey that he  
11                  found in the -- in the Elections Office attached at  
12                  the base of Misty Hayes' computer monitor?

13                  A.       Yes.

14                  Q.       Okay. And do I understand correctly that,  
15                  to the best of your knowledge on behalf of the Board,  
16                  no one on the Board was aware that Mr. Barnes had  
17                  made this report to the Secretary's Office until just  
18                  recently?

19                  A.       I don't recall the Board being notified of  
20                  that.

21                  MR. CROSS: And okay. 47.

22                  Q.       (By Mr. Cross) You can set that aside;  
23                  but just keep it close, 'cause we may look at it  
24                  again.

25                  A.       Okay.

1           Q.       So all right. Let me show what's going to  
2 be marked as Exhibit 5, and this is Tab 47.

3                   (Exhibit 5 was marked for identification.)

4           Q.       (By Mr. Cross) And you can take a moment  
5 and tell me if this is something you've seen before.

6           A.       I have not seen this before.

7                   MR. CROSS: So did I say Exhibit 5?

8                   MR. DELK: That's correct.

9                   MR. CROSS: Okay.

10                  MR. SPARKS: The 5 Exhibit.

11           Q.       (By Mr. Cross) So Exhibit 5, you see it's  
12 got "Dominion Voting" at the top. It's dated May 6,  
13 2021, and the title is "Customer Notification:  
14 Maintaining Secure Chain of Custody for Your Dominion  
15 Voting System."

16                   Do you see that?

17           A.       I do.

18           Q.       And so this is not something, to your  
19 knowledge, that the Board has seen before today?

20           A.       To my knowledge, they have not seen this.

21           Q.       And do you see that --

22                   If you look at the substance of it, do you  
23 see that this is a notification that came out on May  
24 6 of 2021 from Dominion warning elections officials  
25 like in Coffee County that there were efforts made by

1       some to get improper access to Dominion Voting  
2       equipment?

3               If you need a chance to read through it,  
4       go ahead.

5           A.     Okay.   What was your question?

6           Q.     So if you just look at the first sentence  
7       do you see Dominion alerted -- has been alerted that  
8       customers are being approached with offers or  
9       requests to conduct a, quote, forensic audit of their  
10      voting equipment.   It is critically important that  
11      only authorized, legal users be granted access to  
12      voting equipment in order to maintain secure chain of  
13      custody for your system.

14               Do you see that?

15          A.     I do.

16          Q.     And so you're seeing on May 6 of 2021,  
17      Dominion sent out an alert to individuals like those  
18      in Coffee County responsible for voting equipment,  
19      that there were efforts made by some to get  
20      unauthorized access to voting equipment.

21               Do you understand that?

22          A.     I do.

23          Q.     Okay.   And so that's context.   If we go  
24      back to Exhibit 4, because it's the very next day  
25      that Mr. Barnes sends the Cyber Ninjas card to Chris

1 Harvey.

2 Do you understand that?

3 A. I do.

4 Q. Does it surprise you that the Board was  
5 not made aware that your election supervisor was so  
6 concerned after receiving this notification from  
7 Dominion that he alerted the state elections director  
8 that Cyber Ninjas may have compromised the voting  
9 equipment in your County?

10 MR. DELK: Object to the form.

11 THE WITNESS: I don't remember when our  
12 meeting was held in May.

13 But as board members, we are -- we  
14 participate in a one-hour meeting one day a  
15 month. Information will be shared at that time;  
16 and I mean, in all honesty, none of --

17 I mean, this is not -- this is not unlike  
18 alerts that are sent out by your bank. I mean,  
19 it's like keep your information safe.

20 Okay. And so even the business card, the  
21 Board, if they knew about it or not, may not  
22 have been aware of the significance at that  
23 time.

24 But now as we look back, of course, we see  
25 that it is significant.



1           Q.       (By Mr. Cross) But the Dominion Voting  
2 alert provides the significance for the -- the Cyber  
3 Ninjas card, right?

4                   You understand that?

5           MR. DELK: Object to the form.

6           THE WITNESS: It would -- Again, I'm  
7 going to say, as we look back on it now, yes.  
8 Of course.

9           Q.       (By Mr. Cross) But wouldn't you expect  
10 your elections supervisor to alert the Board not just  
11 that some equipment has been replaced because the  
12 password's not working, but that he also had a  
13 concern that bad actors, namely, Cyber Ninjas, had  
14 come into the office and compromised that equipment?

15          A.       And I -- I do not recall James Barnes  
16 notifying the Board that he had a suspicion that bad  
17 actors had come into the Elections Office; and so had  
18 he done that, this may all have been viewed very  
19 differently.

20          Q.       Okay. And had he had that conversation  
21 with the Board, fair to say, we -- we should expect  
22 to see that in the meeting minutes, right?

23          A.       The meeting minutes are kept by them, by  
24 the elections employees. Not by us, and so they --  
25 they add what they think are the pertinent issues

1           that we discuss in -- in the meeting.

2           Q.     And at this time, the person who would  
3           have been doing that would have been James Barnes?

4           A.     It would.

5           Q.     All right. So if you look back at Exhibit  
6           6? I should have written on each one of those.

7                     Oh, sorry. Grab Exhibit 4. The e-mail  
8           that --

9           A.     The business card people for right --

10          Q.     Yes.

11          A.     -- here?

12                     Okay.

13          Q.     So we looked at the e-mail that Mr. Barnes  
14           sends to Mr. Harvey.

15                     And if you look at the bottom of the first  
16           page of Exhibit 4, do you see that same e-mail starts  
17           at the bottom -- James Barnes, to Mr. Harvey, May 7,  
18           2021 3:57 --

19          A.     The Dominion --

20          Q.     -- p.m.

21          A.     -- e-mail today?

22          Q.     Yeah. If you look down at the bottom, do  
23           you see this is the same e-mail that we looked on the  
24           other page?

25          A.     Uh-huh.

1 Q. It just the start of it.

2 A. I do.

3 Q. And then if you come up, you have a  
4 response from Chris Harvey on May 11th.

5 Do you see that in the middle of the page?

6 Right here (indicating).

7 A. Yes.

8 Q. And Mr. Harvey adds Frances Watson and  
9 Michael Barnes to the e-mail thread.

10 Do you see that?

11 A. I do.

12 Q. Do you recall that at this time, Frances  
13 Watson was the head of the investigative unit for the  
14 Secretary of State?

15 A. I'm not aware of that.

16 Q. Do you recognize Michael Barnes as the  
17 head of CES for the Secretary of State?

18 A. Their names are familiar in training that  
19 I've been to, but the specific positions that they  
20 held, I -- I -- I don't recall those.

21 Q. Do -- Do you recall that both of them  
22 were part of the Secretary's Office?

23 A. Yes.

24 Q. Okay. And so then Mr. Harvey writes back,  
25 "James, Thanks for sending this. I think it might be

1 prudent to see if there has been any contact between  
2 the person on the card and anyone in your office  
3 and/or if they... had any access to any of your  
4 equipment.

5 "I have let our investigations division  
6 and CES know, and they might follow with you.

7 "Let me know if you have any questions or  
8 concerns."

9 Do you see that?

10 A. I do.

11 Q. And so here we have the state elections  
12 director writing back to Mr. Barnes saying that the  
13 State needs to find out whether there has been any  
14 access to any of the equipment in the Coffee County  
15 office by Cyber Ninjas.

16 You with me?

17 A. Yes.

18 Q. And then Miss Watson forwards this on to  
19 Pamela Jones in the Secretary's Office the same day.

20 Do you see that at the top?

21 A. Up here. Yeah.

22 Q. And she writes to Miss Jones, "Can you  
23 contact the County and verify what, if any, contacts  
24 Cyber Ninjas had with any election equipment."

25 Do you see that?

1 A. I do.

2 Q. Are you aware of any contact anyone on  
3 behalf of the State had with anyone in Coffee County  
4 to investigate this report for Mr. Barnes?

5 A. And I'm not aware -- The Board is not  
6 aware any investigation.

7 Q. Do you have any insight into why the State  
8 did not follow up on an investigation that was called  
9 for by the state election director and the head of  
10 the investigative unit into what Mr. Harvey refers to  
11 as possible access to the voting equipment in Coffee  
12 County?

13 MR. DELK: Object --

14 THE WITNESS: I don't.

15 MR. MILLER: Object to form.

16 MR. DELK: -- to the form.

17 THE WITNESS: I don't.

18 Q. (By Mr. Cross) Is it a concern that when  
19 your -- your election supervisor alerted the  
20 Secretary's Office in May of 2021 to possible access  
21 to the Coffee County equipment, that there is no  
22 indication that any further -- any investigation was  
23 done with respect to contact with the County  
24 officials?

25 Is that a concern to the Board?

1           A.       Well, it -- it was --

2                   Investigations are ongoing with the state  
3       Election Board and with the Secretary of State's  
4       Office, and various things happen.

5                   And so was it a concern? In retrospect,  
6       yes. At that time, probably not.

7           Q.       Because your recollection on behalf of the  
8       Board is that the Board didn't even know about this  
9       at the time, right?

10          A.       That would be my -- That would be my  
11       recollection.

12          Q.       Okay. And so we have on May 11, Chris  
13       Harvey and Frances Watson calling for an  
14       investigation into possible access to the voting  
15       equipment; and then the State claims that on or  
16       around June 8, 2021 is when they replaced the EMS  
17       server and the ICC.

18                   Are you aware of that?

19          A.       Yes.

20          Q.       All right. Are you aware of any  
21       communication between the State and anyone with  
22       respect to Coffee County election officials,  
23       including the Board --

24          A.       On the Board?

25                   MR. DELK: Let him -- Let him finish.

1 MR. CROSS: Yeah.

2 THE WITNESS: Uh-huh.

3 MR. DELK: You're doing okay. Just make  
4 sure he's done.

5 Q. (By Mr. Cross) Are you aware of  
6 communications between anyone in the Secretary's  
7 Office and the Coffee County Board regarding efforts  
8 to determine whether the EMS server or the ICC had  
9 been improperly accessed?

10 A. I'm not aware.

11 Q. Are you aware of whether the Secretary's  
12 Office has found any evidence that the EMS server was  
13 at some point improperly accessed?

14 A. I am aware of that.

15 Q. And how are you aware of that?

16 A. That information was shared by counsel.

17 MR. DELK: Well, I'm going to instruct  
18 you. Don't get into anything we've talked  
19 about. If he's referencing documents, you can  
20 discuss that; but anything else, do --

21 THE WITNESS: Okay.

22 MR. DELK: -- not discuss.

23 THE WITNESS: Well, I'm -- He asked me if  
24 I was aware of it.

25 Q. (By Mr. Cross) That's fine. That's fine.

1                   And I'm not going to ask you to get into  
2           the substance of communications with counsel.

3           A.       Uh-huh.

4           Q.       When did you first learn of that?

5           A.       Only recently.

6           Q.       Within the last few weeks?

7           A.       Yes.

8           Q.       Within the last few days?

9           A.       Yes.

10          Q.       Just yes or no. Do you have any insight  
11       or knowledge about when the Secretary's Office found  
12       evidence on the EMS server that it had been  
13       improperly accessed?

14          A.       No.

15          Q.       Do you know why the Secretary's Office  
16       took nearly a year to figure that out?

17                   MR. DELK: Object to the form.

18                   THE WITNESS: I don't have any idea.

19          Q.       (By Mr. Cross) You said it was the  
20       understanding of the Board that Mr. Barnes -- Well,  
21       strike that.

22                   Mr. Barnes, at some point in the spring of  
23       2021 -- So after he became the elections supervisor,  
24       he conveyed to the Board at some point that he had a  
25       password problem accessing a server, right?



1 A. Yes.

2 Q. Okay. Does the Board have any  
3 understanding about how the password or why the  
4 password stopped working for that server?

5 A. No.

6 Q. Was there any concern at the Board about  
7 the fact that that password no longer worked?

8 A. No.

9 Q. Do you recall in late 2020 a video went  
10 online with Misty Hampton and others in the Elections  
11 Office in Coffee County using the -- the voting  
12 equipment?

13 A. I do.

14 Q. And that video was actually filmed during  
15 an official Board meeting, right?

16 A. To my knowledge, yes.

17 Q. Were you there for that meeting?

18 A. Yes.

19 Q. Okay. What was the purpose of that video?

20 A. Now you're going to have to tell me which  
21 video you're referring to. Are you talking about --

22 MR. DELK: Let him ask the question, and  
23 you answer if you're able.

24 THE WITNESS: Well, he needs to --

25 MR. DELK: He's talking about the video

1           that was posted online.

2           THE WITNESS:   The video that -- The  
3           YouTube video?

4           MR. DELK:   Yes.

5           THE WITNESS:   Okay.   What was the purpose  
6           of that video?

7           You will have to ask Misty Hampton the  
8           purpose of that video.

9           I'm getting a cramp in my leg.

10          That as a Board member and as the Board  
11          participated in it, we were led to believe that  
12          the system was not secure, and my -- my belief  
13          is that that was the reason; but as I said,  
14          you'll have to ask Misty Hampton why that video  
15          was posted online.

16          We were led to believe in that video that  
17          things could be done to alter the outcome of an  
18          election.   However, in retrospect, the things  
19          that we were shown had to be the -- the --  
20          the --   In the adjudication process, a person  
21          who has knowledge and training in the system is  
22          the person who could change the outcome of or  
23          the -- the voter's intent in some kind of way.

24          Now I couldn't do it.   I don't have that  
25          training.   You couldn't do it.   I mean, nobody

1 in here could do it, unless they've had that  
2 training, and the person with the training at  
3 that time in our -- in our County was Misty  
4 Hampton.

5 That -- I just want to say this. That  
6 video was not posted with the approval of the  
7 Board of Elections. There was nobody that said  
8 are you in favor of this. That video appeared;  
9 and so, again, I'm going to say you will have to  
10 ask Misty Hampton why that video.

11 Q. (By Mr. Cross) Are you aware that  
12 somebody made an Open Records Request for that video?

13 Was the Board aware of that is what I  
14 mean.

15 A. An Open Records Request for that video?

16 Q. Before it went public?

17 A. I'm not aware of that.

18 Q. Are you -- Are you aware of any knowledge  
19 the Board has about Ed Voyles encouraging or  
20 facilitating an Open Records Request for that video?

21 A. I'm not aware of that.

22 Q. Are you aware the video posted online was  
23 put up by a local journalist?

24 A. I'm not aware of that.

25 Q. Was it the Board's understanding that

1 Misty Hampton posted that video?

2 A. I'm going to say yes. I'm not certain of  
3 that.

4 Q. Sure. You said it's your understanding  
5 now that to -- to manipulate votes in the way that  
6 was shown in the video, someone would have to have  
7 training with the system; is that right?

8 A. That's correct.

9 Q. Are you aware that the Dominion software  
10 voting data that was taken from the Coffee County  
11 Elections Office in January of 2021 was uploaded to  
12 the Internet?

13 A. I was not aware of that.

14 Q. Were you aware that numerous individuals  
15 including, for example, Doug Logan of Cyber Ninjas,  
16 downloaded that data from the Internet?

17 A. I was not aware of that.

18 Q. Was the Board aware before now that  
19 numerous individuals have had a year and a half to  
20 gain the sort of training on this system through the  
21 information that's available on the Internet?

22 A. Not aware of that.

23 Q. Would that be a concern to the Board about  
24 the security of the voting system that you're  
25 responsible for?

1           A.     I -- I'd have to speculate that that  
2     would be a concern of the Board.

3           Q.     And would the Board expect the Secretary  
4     of State's Office to take some sort of measures to  
5     help protect the system against that type of  
6     intrusion?

7           A.     Yes.

8           Q.     And would the Board expect the Secretary  
9     of State's Office to take some sort of measures to  
10    hold those individuals accountable?

11           MR. MILLER:   Object to the form.

12           THE WITNESS:   I have no idea.

13           Q.     (By Mr. Cross)   Okay.   Well, you expect  
14     someone to hold those individuals accountable if they  
15     committed a crime, right?

16           MR. DELK:   Object --

17           THE WITNESS:   I would --

18           MR. DELK:   -- to the form.

19           THE WITNESS:   I would expect that if a  
20     crime has been committed, that those people  
21     would be held responsible.

22           Q.     (By Mr. Cross)   And just so we're clear,  
23     the individuals that we've looked at in some of the  
24     photos so far that went into the Elections Office on  
25     January 7, 2021, the Board is not aware of any legal

1 authority that was given those individuals to do  
2 anything they did in that office that day?

3 A. On the behalf of the Board, no authority  
4 was granted to examine our systems, our computers,  
5 our data. No. That was not provided by the Board.

6 Q. Does the Board have any knowledge into  
7 anything -- any of those individuals might have left  
8 behind in the system such as malware?

9 A. No. Not that I know of.

10 Q. And, well, fair to say it would be a  
11 serious concern to the Board of Elections if someone  
12 had, for example, left malware in the system?

13 A. I would say that would be --

14 MR. DELK: Let -- Let him finish. Okay?

15 THE WITNESS: Uh-huh.

16 Q. (By Mr. Cross) That was the question. Go  
17 ahead.

18 MR. DELK: Object to the form.

19 THE WITNESS: What was the question?

20 Concern --

21 Q. (By Mr. Cross) Yeah. I --

22 A. -- if anything --

23 Q. I'll ask it again.

24 A. -- had been left behind.

25 Q. I'll ask it again.

1 Fair to say it would be a serious concern  
2 to the Board of Elections if someone had left  
3 something behind in the system like malware that  
4 could alter votes or election outcomes?

5 A. I --

6 MR. DELK: Object to the form.

7 THE WITNESS: I would say that it's -- It  
8 would be a concern to the Board. Yes.

9 Q. (By Mr. Cross) And -- And given the  
10 extent of the intrusion that we've seen into the  
11 system, does the Board expect the State to undertake  
12 some measures to figure out whether that happened?

13 A. Yes.

14 Q. Do you think as the Board, it is  
15 appropriate to require voters in your County to vote  
16 on equipment that no one has looked to see whether it  
17 has been compromised, whether it still works?

18 MR. DELK: Object to the form.

19 THE WITNESS: The equipment in question  
20 has been removed; and, again, I'm going to say  
21 that the election equipment --

22 MR. CROSS: 33.

23 THE WITNESS: -- the election results are  
24 secure based on -- based on the knowledge and  
25 use of the computer operator --

1 MR. CROSS: What exhibit number? What  
2 exhibit number?

3 MR. SPARKS: Six.

4 THE WITNESS: -- the person who has the  
5 training to run the -- the system.

6 Q. (By Mr. Cross) Okay. Let me show you  
7 some pictures here, Mr. Stone, 'cause it sounds like  
8 the Board may not have a correct understanding of the  
9 facts.

10 MR. CROSS: This is going to be Exhibit 6,  
11 I believe.

12 (Exhibit 6 was marked for identification.)

13 MR. DELK: Yeah.

14 MR. CROSS: And it's Tab 33.

15 Q. (By Mr. Cross) So you just testified that  
16 it's the Board's understanding that the equipment  
17 that was accessed on January 7, 2021 was replaced; is  
18 that right?

19 A. That's my understanding.

20 Q. Okay. So what I'm handing you here are  
21 photos that were produced by Paul Maggio of the  
22 Sullivan|Strickler firm, who came in and actually did  
23 the copying in the office that day.

24 Do you understand?

25 A. Yes.



1           Q.     So if you flip through these photos, if  
2     you look at the first one, these are pictures of  
3     compact flash cards that are used with the voting  
4     equipment in the Coffee County Elections Office.

5                     Do you understand that?

6           MR. MILLER:   Objection.   Lack of  
7     foundation.

8           MR. DELK:   Join.

9           MR. CROSS:   We'll get that foundation  
10    tomorrow.   Don't you worry about it so --

11          MR. MILLER:   You want us to do the side  
12    comments throughout the whole thing?

13          THE WITNESS:   They're used with the  
14    computer --

15          MR. CROSS:   That's not even an appropriate  
16    objection in a deposition.

17          Q.     (By Mr. Cross)   Go ahead.

18          A.     These are the --   These are the disks that  
19    are used with the computer system.

20          Q.     All right.   The --

21          MR. DELK:   To be clear, Mr. Stone, are you  
22    asking a question; or are you testifying right  
23    now?

24                     If you don't know what those are, then  
25    state that; but I want to --

1 MR. CROSS: Had --

2 MR. DELK: -- be clear what you're saying.

3 Q. (By Mr. Cross) Yeah. Let me -- Let me  
4 just ask the question.

5 Do you recognize these as compact flash  
6 cards that are used with the voting equipment in  
7 Coffee County?

8 A. I -- I don't recognize that. That's not  
9 under my purview --

10 Q. Okay.

11 A. -- as a Board member.

12 Q. And if you flip to the next page, do you  
13 recognize that as a flash drive that's used with the  
14 Coffee County voting equipment?

15 A. I recognize that as a flash drive. I  
16 don't know what equipment that is used with but --

17 Q. So if you flip through these photos, what  
18 you're going to see is lots of pictures of compact  
19 flash drives, jump drives, a Dell computer, which is  
20 at the page ending 242, all of which was copied by  
21 the Sullivan|Strickler firm on or around January 7,  
22 2021 in the Coffee County Elections Office.

23 Are you aware of that?

24 A. I'm not.

25 Q. So you had not seen these photos before

1 now?

2 A. I have not.

3 Q. So do you understand that much of the  
4 equipment and devices used in Coffee County with  
5 elections, in fact, was not ever replaced and still  
6 has not been replaced with respect to what was  
7 accessed by the Sullivan|Strickler firm and others?

8 MR. DELK: Object to the form.

9 THE WITNESS: I'm -- I'm not aware  
10 because of my role as a Board member of what was  
11 actually replaced and what was left in the  
12 office.

13 Q. (By Mr. Cross) Okay.

14 A. My -- And if I say my assumption,  
15 Stephen's going to yell at me.

16 I'm not going to say. I mean, I'm not  
17 aware of the equipment that was replaced or was left.

18 Q. But your understanding on behalf of the  
19 Board is that the only equipment that was replaced  
20 was the EMS server and the ICC?

21 A. That was my understanding.

22 Q. Okay. And so is it a concern to the Board  
23 that compact flash drives, thumb drives, a variety of  
24 other equipment that also shows up in the documents  
25 produced by Paul Maggio that were copied and accessed

1 by the -- by this team, that that equipment has  
2 continued to be used for elections for a year and a  
3 half?

4 MR. DELK: Object to the form.

5 THE WITNESS: It would be a concern to the  
6 Board.

7 Q. (By Mr. Cross) It would be?

8 A. It would be.

9 Q. Okay. And do you think on behalf of the  
10 Coffee County Elections Board that it is appropriate  
11 to require -- to require your voters in Coffee County  
12 to vote using equipment and devices that was breached  
13 by third parties a year and a half ago?

14 MR. DELK: Object to the form.

15 THE WITNESS: The -- Well, I mean, we  
16 would look to the Secretary of State to ensure  
17 that our voting equipment is up to date and is  
18 free of any malware or any problems that may  
19 alter the outcome of an election.

20 Q. (By Mr. Cross) Right. But you've  
21 testified previously that you haven't received any  
22 assurances or communications at all from the  
23 Secretary of State's Office about this intrusion,  
24 right?

25 A. Not that I recall. No.

1           Q.     Okay. So as you sit here, the Coffee  
2     County Election Board cannot provide any assurances  
3     to the voters in its County that the equipment that  
4     the State is requiring it to vote -- the voters to  
5     vote on still functions as it's supposed to?

6           MR. DELK: Object to the form.

7           Q.     (By Mr. Cross) You just don't know one  
8     way or the other, right, sir?

9           A.     That's correct.

10          Q.     Okay. Has the Coffee County Board  
11     examined whether it has the authority to use  
12     hand-marked paper ballots in lieu of the BMDs, since  
13     state law allows that as an emergency backup?

14          A.     Because of this?

15          Q.     Yes.

16          A.     No.

17          Q.     Are you familiar with Ed Lindsey?

18          A.     No.

19          Q.     Are you aware that Ed Lindsey is one of  
20     the state Election board members.

21                  Does that help ring any bells?

22          A.     No.

23          Q.     Okay. Are you aware that Ed Lindsey  
24     testified yesterday that the counties have the  
25     authority to invoke hand-marked paper ballots in

1 emergency situations?

2 A. I'm not aware of that.

3 Q. Do you think it would be worthwhile for  
4 the County Board of Elections to look into its  
5 authority to allow its voters to use hand-marked  
6 paper ballots at the polls in light of the intrusion  
7 we've seen here and the lack of assurances from the  
8 Secretary's Office?

9 A. I don't feel --

10 MR. DELK: Object to the form.

11 THE WITNESS: -- comfortable in answering  
12 that question.

13 THE COURT REPORTER: I'm sorry. That was  
14 too many people at one time.

15 MR. DELK: Make sure he's finishes. Give  
16 me a moment if I need to object. And then  
17 respond. Okay?

18 THE COURT REPORTER: I didn't get the end  
19 of the question.

20 (Whereupon, the record was read by the  
21 reporter.)

22 Q. (By Mr. Cross) In light the intrusion  
23 that -- that you're now aware of in January of 2021  
24 and the lack of assurances from the Secretary's  
25 Office that the system still operates as it's

1       supposed to?

2               MR. DELK: Object to the form.

3               Now you may answer, if you can.

4               THE WITNESS: Again, I'm going to say I  
5       don't know the answer to that question without  
6       the equipment being verified as suitable for  
7       voting.

8               Q.       (By Mr. Cross) And you would rely on the  
9       State for that?

10              A.       Yes.

11              THE COURT REPORTER: Would it be possible  
12       to have a bathroom break?

13              MR. CROSS: Yeah. I was just thinking  
14       that. I was just figuring if there was a couple  
15       more things on this before we do, if that's  
16       okay.

17              Q.       (By Mr. Cross) Has -- Has the Coffee  
18       County Election Board, at any time in the last couple  
19       years, discussed the possibility of using hand-marked  
20       paper ballots on an emergency basis?

21              A.       No.

22              MR. CROSS: All right. Yeah. Let's --  
23       We can take a break.

24              THE WITNESS: Okay.

25              THE VIDEOGRAPHER: The -- The time is

1           10:34 a.m. We are off video record. &&&

2                       (Recess from 10:34 a.m. to 10:50 a.m.)

3           THE VIDEOGRAPHER: The time is 10:50 a.m.

4           We are back on video record.

5           Q.       (By Mr. Cross) Mr. Stone, to go back to  
6 the video that -- that ended up on YouTube we talked  
7 about earlier, you were there when that video was  
8 filmed, right?

9           A.       That's correct.

10          Q.       Did the Board learn at some point that in  
11 that video, once it ended up on YouTube, there was a  
12 Post-it note with a password on it that was readable?

13          A.       Yes.

14          Q.       And what's the Board's understanding about  
15 what that password is used for or was used for?

16          A.       The Board did not know what the password  
17 was for --

18          Q.       All right.

19          A.       -- which piece of equipment it opened.

20          Q.       All right. Was that something the Board  
21 was concerned about when that information came to  
22 light, that some sort of password useable for  
23 equipment in Coffee County was on the Internet?

24                   MR. DELK: Object to the form.

25                   THE WITNESS: I don't know what the Board



1           would have thought about that.

2           Q.     (By Mr. Cross) Oh. Let me ask a  
3           different question then.

4           A.     Well, I mean --

5           Q.     Go ahead.

6           A.     -- I just want to say passwords are often  
7           changed; and so I mean, that's the nature of  
8           technology; and so --

9           Q.     Was there ever any discussion at the Board  
10           level about the issue of this password being on the  
11           Internet?

12          A.     Not that I recall. No.

13          Q.     Oh. Are you aware of any outreach by the  
14           State to anyone in Coffee County regarding this  
15           password being on the Internet?

16          A.     I'm not aware of that.

17          Q.     Are you aware of any efforts made to  
18           change the password for whatever equipment that  
19           password was used for?

20          A.     Beyond what James Barnes would have done,  
21           no.

22          Q.     Okay. And you're not aware of Mr. Barnes  
23           actually changing any passwords on any equipment,  
24           right?

25          A.     I'm not aware of that.

1 Q. All right. Let's go back -- and sorry, we  
2 jumped around a little bit -- to this -- Sorry. No.  
3 That one (indicating).

4 MR. DELK: No. 3?

5 MR. CROSS: Yeah.

6 Q. (By Mr. Cross) All right. So we're  
7 looking at Exhibit 3, which is some screen shots from  
8 the video the County produced, and we left off at  
9 Page 21. So flip to Page 22, if you would.

10 So we're on January 7, 2021 at 7:43 p.m.  
11 And here do you see that this is the back of Ed  
12 Voyles, and he's escorting out some of the  
13 individuals we saw in earlier photos, right?

14 A. Yes.

15 Q. Okay. And -- And, again, these  
16 individuals, other than Mr. Voyles, you don't  
17 recognize as state or County officials?

18 A. I don't.

19 Q. Then if we go to the next page, January 7,  
20 2021, still at 7:43 p.m., we have Mr. Voyles. And is  
21 that Misty Hampton standing in the door?

22 A. It is.

23 Q. All right. You can put that aside.

24 MR. CROSS: What are we up to, seven?

25 MR. SPARKS: Seven.

1 (Exhibit 7 was marked for identification.)

2 Q. (By Mr. Cross) All right. Let me hand  
3 you what has been marked as Exhibit No. 7.

4 So these are additional screen shots from  
5 the video the County produced. If you look at the  
6 first page, do you see now we're on January 27 of  
7 2021?

8 A. Yes.

9 Q. And it's at 9:59 a.m., right?

10 A. It is.

11 Q. And there's an individual who's walking in  
12 who's holding a box in front of his face.

13 Do you see that?

14 A. Yes.

15 Q. Do you have any idea who that is?

16 A. I don't.

17 Q. If you come to the next page --

18 MR. MILLER: Hold on a second. Just we  
19 need to have the exhibits introduced. On behalf  
20 of the County, I -- I can't see them all.

21 MR. CROSS: Okay. There's one right  
22 there.

23 Q. (By Mr. Cross) On the next page still at  
24 9:59 a.m., the person gets a little closer to the  
25 camera, but still hiding his face behind a box,

1 right?

2 A. He is.

3 Q. Okay. And then we get to the next page.

4 Still 9:59 a.m. Now he's lowered the box just before  
5 he goes in the door.

6 Do you recognize his face?

7 A. I don't.

8 Q. So that's not someone you recognize as a  
9 state of county officials?

10 A. No.

11 Q. Okay. And then January 27, 10:22 a.m., we  
12 see the same individual leaving, right?

13 A. Yes.

14 Q. And then the next day, January 28, 2021 at  
15 2:11 p.m., the same individual coming back into the  
16 office, right?

17 A. Appears to be the same individual. Yes.

18 Q. And then later that same day, it looks  
19 like about 10 minutes later at 2:21 p.m., he's  
20 leaving, right?

21 A. Yes.

22 Q. Then on January 29, 2021, 2:33 p.m., the  
23 same individual comes back to the office, right?

24 A. Yes.

25 Q. Okay. And then later that day at 3:57

1 p.m., we see that individual leave, right?

2 A. Yes.

3 Q. And you don't have any idea who that man  
4 is?

5 A. I don't.

6 MR. CROSS: Okay. I'm getting too old to  
7 keep up with this.

8 All right. Here's Tab 8. And, Steve, if  
9 you don't mind just sharing that with Carey.

10 MR. DELK: No.

11 MR. CROSS: Sorry. Exhibit 8. Tab 55.

12 (Exhibit 8 was marked for identification.)

13 Q. (By Mr. Cross) All right. So this is  
14 January 18 of 2021 at 4:20 p.m., and we see an  
15 individual coming to the office.

16 Do you see that?

17 A. I do.

18 Q. Do you recognize him?

19 A. I don't.

20 Q. So not someone you recognize as a state of  
21 county officials?

22 A. No.

23 Q. Okay. Have you ever met Doug Logan of  
24 Cyber Ninjas?

25 A. I have not.

1 Q. Have you ever seen a picture of him?

2 A. I've seen the picture that was in the  
3 article.

4 Q. Okay. Do any of the people we've looked  
5 at here look like Doug Logan to you, or you just  
6 don't remember?

7 A. I don't recall if that would be Doug Logan  
8 or not.

9 MR. CROSS: Picture. Picture.

10 Q. (By Mr. Cross) Are you familiar with the  
11 name Jeffrey Lenberg?

12 A. I'm not.

13 Q. All right. Have you ever seen him before?

14 A. No.

15 Q. Oh. All right. Flip to the second page  
16 of Exhibit 8.

17 A. (Witness complies with request of  
18 counsel.)

19 Q. So January 18, 2021, 4:20 p.m., this is  
20 still the same time. This is the same individual we  
21 see walking in, in the prior picture, right?

22 A. Yes.

23 Q. Okay. And you still don't recognize him?

24 A. I don't.

25 Q. The next page, January 18, also, at 4:20

1 p.m. I see a gentleman, gray hair, beard walking in.

2 Do you see that?

3 A. I do.

4 Q. If you'd grab Exhibit 7 again, which is  
5 that one there.

6 A. This one (indicating)?

7 Q. Yeah. And flip to Page 5.

8 A. (Witness complies with request of  
9 counsel.)

10 Q. Does that look to you to be the same  
11 individual who shows up in Page 3 of Exhibit 8 on  
12 January 18?

13 And you can put them side by side, if you  
14 need to.

15 A. They both have the same hair style. Have  
16 the same beard. Eyewear appears to be --

17 It appears to be the same person.

18 Q. Yeah. Seem to be --

19 A. I cannot --

20 Q. -- wearing the same clothes, right?

21 A. Yes. Except with the addition of the  
22 jacket.

23 Q. Right. The jacket on January 18?

24 A. Yeah.

25 Q. Okay. And if you look -- Well, strike

1           that.   Sorry.

2                       Go to the --   Going back to Exhibit 8 --

3           A.     This one (indicating)?

4           Q.     Yes, sir.

5           A.     Uh-huh.

6           Q.     Go to Page 4.   So this is January 18, 2021  
7   at 8:06 p.m.

8           A.     Uh-huh.

9           Q.     Do you recognize any of the individuals  
10   who are leaving there?

11          A.     That appears to be Misty Hampton in the  
12   lead.

13          Q.     And she looks like she's escorting out the  
14   other two individuals we saw in these photos, that  
15   the guy with the gray hair we were just talking about  
16   and the other guy with the khaki pants?

17          A.     Yes.

18          Q.     Okay.   And, again, just so we're clear,  
19   the two individuals she's escorting out of the office  
20   at 8:06 p.m. on January 18 of '21, those are not  
21   people you recognize as state or County officials?

22          A.     That's correct.

23          Q.     All right.   Come to the next page, January  
24   19 at 8:52 a.m.   Here we see these same two  
25   individuals, the guy with the gray hair and the



1 beard, the guy in the khaki pants, returning to the  
2 office, right?

3 A. Yes.

4 Q. The next page, January 19, 2021 at 6:19  
5 p.m., we see the same guy in the khaki pants in the  
6 doorway, right?

7 A. Yes.

8 Q. The next page, the same date, same time,  
9 but a few seconds later, who do you recognize in this  
10 photo?

11 A. Misty standing in the door, and that  
12 appears to be her daughter.

13 Q. In the white sweatshirt and jeans?

14 A. In the white sweatshirt.

15 Q. Okay. And it's those same two individuals  
16 we've just been looking at, right?

17 A. Yes.

18 Q. Okay. So it looks like at January 19,  
19 2021 at 6:00 p.m. Miss Hampton escorts those two  
20 individuals, the gray-haired guy and the guy in the  
21 khaki pants, out of the Elections Office, right?

22 A. Yes.

23 Q. All right. Does the Board have any  
24 insight as to what these individuals were doing in  
25 the Elections Office on January 18 and January 19 of

1           2021?

2           A.       The Board has no idea why those people  
3           were in the Elections Office.

4           Q.       Had you learned before this moment that  
5           these individuals were in the Elections Office then?

6           A.       Before this moment?

7           Q.       Yes.

8           A.       Yes.

9           Q.       All right. And when did you first learn  
10          that?

11          MR. DELK: And I will instruct him not to  
12          get into the details of what you discussed with  
13          counsel; but generally, you can respond.

14          MR. CROSS: I'm just looking for a  
15          timeframe --

16          MR. DELK: Sure.

17          MR. CROSS: -- not substance of  
18          communication.

19          THE WITNESS: Recently.

20          Q.       (By Mr. Cross) Last few days?

21          A.       Yes.

22          Q.       Did -- have you seen --

23                  Just yes or no. Have you seen the video  
24          that correlates to these screen shots for January 18  
25          and January 19 before today?

1           A.     January 18 and January 19, not to my  
2     knowledge.  No.

3           Q.     Okay.  And then same with Exhibit 7.  Were  
4     you aware before --

5           A.     What --

6           Q.     Sorry.  You can go back.  It's the one on  
7     the right.

8           A.     This (indicating)?

9           Q.     Yes, sir.

10                  Were you aware before today that the --  
11     that the gentleman who visited the office on January  
12     27 of 2021, as well as January 28 and January 29 --  
13     were you aware before today that that individual was  
14     in the Elections Office?

15           A.     No.

16           Q.     Do you recall at any point -- just yes or  
17     no -- reviewing the video that corresponds to those  
18     screen shots?

19           A.     What's the day?  What are the dates on  
20     this?

21           Q.     January 27 to 29.

22           A.     No.

23           Q.     All right.  So fair to say that the Board,  
24     to your knowledge, does not have any insight into why  
25     this individual was there or what he was doing?

1 A. That's correct.

2 Q. But also fair to say this -- this isn't  
3 something you have discussed with the Board before  
4 now, because you personally weren't even aware of  
5 this before now?

6 A. That's correct.

7 MR. CROSS: Okay. Sorry. Hand me the --  
8 that one, the book.

9 Grab Exhibit 7, if you would. It's the  
10 one where --

11 A. This (indicating)?

12 Q. -- the guy has got the box. He's holding  
13 up --

14 A. Oh, yeah.

15 Q. -- a box as he goes in.

16 A. It's this one right here. This right  
17 here.

18 Q. Yeah. And flip to -- I think it's the  
19 third page.

20 A. Okay.

21 Q. So I'm going to show you a picture of a  
22 man named Jeffrey Lenberg. Does that look like  
23 Jeffrey Lenberg to you in Exhibit 7?

24 And there -- If you flip through Exhibit  
25 7, there's another photo of him coming out, if I

1 recall.

2 MR. MILLER: Dave, are we marking Mr.  
3 Lenberg's picture as an exhibit?

4 MR. CROSS: I wasn't going to, but I can.

5 MR. MILLER: I think for clarity of the  
6 record, it might be helpful, but do you really.

7 Q. (By Mr. Cross) Okay.

8 A. It appears to be the same person.

9 MR. CROSS: Okay. Do we have a copy we  
10 can upload for that?

11 MR. SPARKS: Oh, yeah.

12 MR. CROSS: Okay. All right. So we'll  
13 mark this picture as Exhibit 9. Is that right?

14 MR. DELK: Yeah.

15 MR. SPARKS: It will be nine.

16 MR. CROSS: Yeah. Hand it to you guys.  
17 We'll -- We'll make sure that gets into Exhibit  
18 Share.

19 (Exhibit 9 was marked for identification.)

20 Q. (By Mr. Cross) And to your knowledge, the  
21 Board does not have any information on why Jeffrey  
22 Lenberg would be in the Elections Office at any  
23 point?

24 A. That's correct.

25 Q. Do you any familiarity with Jeffrey

1 Lenberg?

2 A. I don't.

3 Q. Never heard of him?

4 A. Never heard of him.

5 MR. CROSS: All right.

6 MR. SPARKS: What are on, 9 or 10?

7 MR. CROSS: 10.

8 (Exhibit 10 was marked for  
9 identification.)

10 Q. (By Mr. Cross) All right. Let me hand  
11 you what's been marked as Exhibit 10. This is a  
12 collection of monthly Board meeting minutes that we  
13 received from the County.

14 And actually, before you look at that, do  
15 I understand correctly that the elections supervisor  
16 and the assistant to the elections supervisor, those  
17 individuals report to the County Board of Elections?

18 A. That's correct.

19 Q. Okay. So they work -- They work for the  
20 Board?

21 A. The elections supervise --

22 You mean they're under their direction.  
23 Yes.

24 Q. Okay.

25 A. Yeah.

1           Q.     Okay. And in preparing for your testimony  
2 today, did you speak with the current elections  
3 supervisor or assistant?

4           A.     No.

5           Q.     Okay. Did you speak with any former  
6 employees?

7           A.     No.

8           Q.     Oh. All right. So do you recognize  
9 Exhibit 10 as some of the Board meeting minutes?

10          A.     I do.

11          Q.     Okay. Flip to January 12th of 2021, the  
12 meeting minutes, if you would, please.

13          A.     Okay.

14          Q.     So these minutes reflect the discussion  
15 the Board had on a meeting -- in a meeting at 9:30  
16 a.m. on January 12th of 2021. Is that fair?

17          A.     It is.

18          Q.     There's no indication of these -- in these  
19 Board meeting minutes of any of the individuals that  
20 we had seen in the video that came into the office on  
21 January 7 and January 8; is that right?

22          A.     That's correct.

23          Q.     Was there any discussion in this Board  
24 meeting about those individuals coming into the  
25 office and what they did?

1 A. No.

2 Q. Okay. Do you know why there was no  
3 discussion with the Board about that?

4 MR. DELK: Object to the form.

5 THE WITNESS: I don't recall that any of  
6 this had come to light at that time.

7 Q. (By Mr. Cross) Had come to light for the  
8 Board?

9 A. Had come to light for -- had --  
10 I don't remember when -- when I learned  
11 about it, and we didn't discuss it in a Board meeting  
12 situation.

13 Q. Okay. Again, we know that Eric Chaney was  
14 there on January 7th and January 8th, right?

15 A. According to the photographs?

16 Q. Yes.

17 A. Yes.

18 Q. And does the Board have any insight as to  
19 why Eric Chaney did not share those events with the  
20 rest of the Board?

21 MR. DELK: Object to the form.

22 THE WITNESS: No.

23 Q. (By Mr. Cross) That's not something the  
24 Board has discussed as far as you know?

25 A. No.



1           Q.     Is that something the Board would like to  
2 understand?

3           MR. DELK:   Object to the form.

4           THE WITNESS:   I think it's fair to say  
5 we'd like to get to the bottom of what happened.

6           Q.     (By Mr. Cross)   Yeah.   Including Mr.  
7 Chaney's involvement?

8           A.     Yes.

9           Q.     Okay.   Mr. Chaney left the Board on August  
10 12th of this year; is that right?

11          A.     That's correct.

12          Q.     What is the Board's position on why Mr.  
13 Chaney left the Board?

14          A.     The Board's position is that Mr. Chaney  
15 moved his residence from -- to another commissioner's  
16 district, which gives two representatives from one  
17 district; and this was the explanation that he gave  
18 us, was that he was going to resign so that the  
19 respective commissioner could appoint somebody from  
20 their district.

21          Q.     But that was not a new issue on August  
22 12th, right, sir?

23          A.     The residence issue, we -- we had heard  
24 that before.   Yes.

25          Q.     In fact --   In fact, the Board had

1 discussed it almost a year earlier and decided that  
2 it was not a problem for him to serve on the Board  
3 right?

4 MR. DELK: Object to the form.

5 THE WITNESS: That's correct.

6 Q. (By Mr. Cross) Okay. And -- And to help  
7 you out, if you flip to the Board meeting minutes in  
8 Exhibit 10 on November 9th of 2021 --

9 A. November 9th?

10 Q. Yes, sir.

11 A. Yeah. March. Okay. I'll get it.

12 We're December.

13 Okay. Here I am.

14 Q. If you come down to No. 10 on the meeting  
15 minutes, it reads, "Eric Chaney notified the Board  
16 that he had recently moved out of his Commissioner's  
17 district. Upon further research, he discovered there  
18 is no stipulation that Board of Elections &  
19 Registration members must live the same district as  
20 the person who appointed them. He has decided to  
21 remain on the Board at least 2 more years."

22 Do you see that?

23 A. I do.

24 Q. So nearly a year before he resigned, the  
25 Board discussed the fact that he moved out and agreed

1       that he could stay on the Board at least two more  
2       years, right?

3               MR. DELK: Object to the form.

4               THE WITNESS: I -- I don't recall if we  
5       discussed two more years. I do -- I do recall  
6       that discussion.

7               Q.       (By Mr. Cross) You -- You recall that  
8       the Board agreed in November of 2021 that -- that Mr.  
9       Chaney could continue to serve on the Board, despite  
10      not living in the same district as his commissioner,  
11      right?

12              A.       I do.

13              Q.       All right. And so what happened between  
14      November of 2021 and August 12th that led him to  
15      resign purportedly on that basis?

16              MR. DELK: Object to the form.

17              THE WITNESS: Now in all honesty, I don't  
18      know; but the bylaws state that -- The bylaws  
19      of the Board of Elections states that each  
20      Commissioner will -- will appoint a respective  
21      member from their -- from their district.

22              The state legislation doesn't stipulate,  
23      and so -- And that may be something we need to  
24      review in the bylaws to make sure that they both  
25      jibe.

1           Q.       (By Mr. Cross) How did the Board first  
2 learn about Mr. Chaney's resignation?

3           A.       He -- He announced it.

4           Q.       How?

5           A.       In a meeting --

6                   MR. CROSS: That will be eight.

7                   THE WITNESS: In executive session.

8                   Am I allowed to say executive session?

9           Q.       (By Mr. Cross) When was that?

10                  MR. DELK: I'll assert an objection about  
11 anything that was an executive session, if I can  
12 just have a standing objection on that.

13                  THE WITNESS: He announced it.

14           Q.       (By Mr. Cross) Okay. Let me hand you  
15 what's been marked as Exhibit 11.

16                   (Exhibit 11 was marked for  
17 identification.)

18           Q.       (By Mr. Cross) Do you recognize this as  
19 an e-mail that Eric Chaney sent to you and others on  
20 the Board on August 12th of 2022?

21           A.       I think this was more recently.

22           Q.       This is the day that he resigned, right?

23           A.       Yes.

24           Q.       And in fact, he indicates, "Please accept  
25 this letter as my formal resignation..." in the last

1 sentence.

2 Do you see that?

3 A. I do.

4 Q. Was the Board aware of his forthcoming  
5 resignation before this e-mail came in?

6 A. Only to the point that we had discussed  
7 it. As you say, we hadn't discussed it. He  
8 announced it.

9 Q. Okay. When was the meeting where he  
10 announced it?

11 A. I don't recall the date.

12 Q. Was it shortly before he e-mailed the  
13 resignation in?

14 A. I don't recall. I don't recall.

15 Q. And just yes or no. He announced it in a  
16 executive session of the Board?

17 A. The first time, as I recall, yes.

18 Q. Okay. You say the first time. Was there  
19 a second time where he announced his resignation in a  
20 Board meeting?

21 A. Well, I mean, all this came about after  
22 that.

23 Q. Okay. Was the Board -- Again, just yes  
24 or no. Was the Board in executive session  
25 specifically to address his resignation --

1 A. No.

2 Q. -- or for some other purpose?

3 A. The only reason that we enter executive  
4 session is to discuss personnel.

5 A Board member can ask for executive  
6 session. As I recall, he asked for executive session  
7 for that.

8 Q. To -- To announce his resignation.

9 A. So the answer to your question, I guess,  
10 is yes then.

11 Q. Okay. Well, he -- you're -- he -- He  
12 asked for executive session to announce his  
13 resignation. That's your understanding?

14 A. Yeah. He didn't say I'm going to  
15 announce -- announce my -- He just said may we enter  
16 executive session.

17 Q. And then he announced his resignation?

18 A. Yes.

19 Q. Do you recall if that was in the month of  
20 August of this year?

21 A. I don't recall.

22 Q. Okay. But fair to say it was recent?

23 A. I can't recall.

24 Q. Okay. Well, do you have any reason to  
25 believe that he would announce his resignation in a

1 meeting with the Board and then continue to serve on  
2 the Board for months before sending in his formal  
3 resignation, or would you expect those to be close in  
4 time?

5 MR. DELK: Object to the form.

6 THE WITNESS: Well, I just thought that he  
7 had gotten the permission from his commissioner  
8 to remain on the Board.

9 Q. (By Mr. Cross) Okay.

10 A. We --

11 Q. Go ahead.

12 A. Well, I -- I mean, as with all personnel,  
13 it's hard to fill vacancies; and so for board  
14 members, it is easier to wait until the end of the  
15 commissioner's term or maybe to the end of -- of a  
16 year, I mean, and say.

17 That was not discussed, however --

18 Q. Okay.

19 A. -- but -- But it's just a byproduct of  
20 trying to fill seats on the commission and then, you  
21 know, even employment in the office.

22 Q. Okay. Were you aware that Eric Chaney was  
23 scheduled to be deposed on August 15, the very next  
24 business day after he sent in his formal resignation?

25 A. I was not.

1           Q.     Do you have any insight as to whether the  
2     fact that he was going to be deposed on the events  
3     regarding the intrusion in the office of January,  
4     whether that was a factor in his resignation?

5           MR. DELK:   Object to the form.

6           THE WITNESS:   I have no idea.

7           Q.     (By Mr. Cross)   Were you aware that he  
8     asserted the Fifth Amendment numerous times in his  
9     deposition?

10          A.     I was not.

11          Q.     Were you aware that Eric Chaney was  
12     originally going to do what you're doing; he was  
13     going to be the corporate representative of the Board  
14     of Elections to testify in this deposition?

15          A.     I was aware of that.

16          Q.     Do you know why a change was made?

17          MR. DELK:   Object to the form.

18          THE WITNESS:   I don't --

19          MR. DELK:   It's in the -- possibly the  
20     purview of privileged communication.

21          Q.     (By Mr. Cross)   Well, it sounds like you  
22     don't know one way or the other.

23          A.     I don't know why.

24          Q.     Okay.   All right.   Flip back to Tab 10, if  
25     you would the -- or sorry -- the Exhibit 10, the



1 Board meeting minutes, and go back just one page to  
2 September 7 of 2021.

3 Do you see here under No. 9 -- I'm  
4 sorry -- No. 7, it says James Barnes said Beau  
5 Roberts from Dominion Voting Systems is looking into  
6 the missing mobile ballot printer?

7 A. Do I recall the discussion of that?

8 Q. Yeah. Do you recall Mr. Barnes  
9 discovering that a mobile ballot printer was missing  
10 from the Coffee County Elections Office?

11 A. I don't recall that.

12 Q. Do you know whether that printer was  
13 found?

14 A. I don't.

15 Q. Is there any information you can share  
16 about that printer being missing?

17 A. No.

18 Q. Okay. All right. Flip to --

19 Oh, by the way, do you know why there are  
20 no meeting minutes for October 2021?

21 A. I don't.

22 Q. Do you have any reason to believe you  
23 would not have met in the month of October?

24 A. I don't.

25 Q. Okay. All right. Flip to January 4th of

1       2022, a couple pages later.

2           A.       January 4th.   Okay.

3           Q.       So as of January 2022, James Barnes was no  
4       longer the election supervisor, right?

5           A.       That's right.

6           Q.       And he was replaced by Rachel Roberts?

7           A.       That's right.

8           Q.       And she's still there today, right?

9           A.       She is.

10          Q.       If you come down at the bottom here, do  
11       you see where it says, "Rachel's Updates"?

12          A.       Yes.

13          Q.       And it says, "GEMS room relocating to a  
14       bigger room?"

15                   Do you see that?

16          A.       Yes.

17          Q.       Has the GEMS room relocated to a different  
18       spot in the Elections Office since Miss Hampton and  
19       Mr. Barnes were there?

20          A.       I'm not certain.

21          Q.       Why was the GEMS room being relocated to a  
22       bigger room?

23          A.       There's always a question of having enough  
24       storage space for everything, and that is very likely  
25       what that was about.

1           Q.     And -- And I don't want you to guess. If  
2     you don't know why, that's fine.

3           A.     And I don't know why.

4           Q.     Okay. So as you sit here today, you --  
5     you don't know whether the EMS --

6           A.     Well -- well --

7           MR. DELK: Let -- Let him finish.

8           THE WITNESS: Okay.

9           Q.     (By Mr. Cross) As you sit here today, you  
10    don't know -- the Board doesn't know whether what's  
11    referred to as the GEMS room in the Coffee County  
12    Elections Office has relocated since Mr. Barnes left?

13          A.     I don't know, and I -- But I want to ask  
14    a question. When you say GEMS room, what is the  
15    specific equipment that you're referring to when you  
16    say GEMS room?

17          Q.     Have you heard the terminology? Well --

18          A.     I've heard GEMS before. But is that the  
19    computer that everything is tabulated on, or is  
20    that --

21                 Well, what is the GEMS room?

22          Q.     So are you aware that the GEMS room is the  
23    terminology in Coffee County that they refer to  
24    the -- the room in the Elections Office where the EMS  
25    server and the central scanner sit and where they

1 do --

2 A. It's where they run the ballots and where  
3 it's visible to the public to see what's going on?

4 Q. (Attorney nods head.)

5 A. Okay. That has not been relocated to a  
6 bigger room. No.

7 Q. Okay. That's still in the same spot --

8 A. Yes.

9 Q. -- to your knowledge?

10 Okay. Is -- Is there still consideration  
11 of relocating that?

12 A. Well, I think that's all going to be  
13 figured out when they get the new office; and I think  
14 Rachel was -- was expressing a need for more room.

15 Q. Okay. And there's consideration of moving  
16 the Elections Office; is that right?

17 A. All of that construction -- And I don't  
18 know the extent of -- of everything that will happen,  
19 but my understanding is that the Elections Office  
20 will be relocated into more updated office. Yes.

21 Q. Okay. Do you know the --

22 A. It has not yet been built.

23 Q. Okay. So that's not imminent?

24 A. No.

25 Q. Okay. All right. Flip to the meeting

1 minutes for February 1 of 2022, please.

2 A. Uh-huh.

3 Q. Okay. So here, you see again where it  
4 says, "Rachel's Updates"?

5 A. I do.

6 Q. And if you come down, it looks like about  
7 five or six bullets --

8 A. Uh-huh.

9 Q. -- the last one, it refers to, "Completed  
10 inventory missing..."

11 Do you see that?

12 A. Uh-huh.

13 Q. Yes?

14 A. I do.

15 Q. And it indicates missing from the  
16 inventory in Coffee County is two printer bags --

17 A. Uh-uh.

18 Q. -- a printer power code, a BMD bag, 14  
19 charging cords, 7 charging cubes, and 1 ID tray.

20 Do you see that?

21 A. I do.

22 Q. What information can you share about why  
23 these materials were missing from the office?

24 A. Now I don't. I don't have any information  
25 for why those would be missing.

1           Q.     Do you know whether any of them have been  
2 located?

3           A.     I don't.

4           Q.     Do you know whether any of them have been  
5 replaced?

6           A.     I don't have any information that any of  
7 that was replaced; or if they were currently in use,  
8 I -- I don't have the information on that.

9           Q.     Okay. Do you know whether any of the  
10 individuals who visited the Coffee County Elections  
11 Office in January of 2021, whether they took a BMD  
12 with them when they left?

13          A.     I don't have any information.

14          Q.     Do you know whether they took any election  
15 equipment with them?

16          A.     I don't have any information.

17          Q.     Okay.

18                 MR. CROSS: Adam, Tab 6. Exhibit 12.

19                 (Exhibit 12 was marked for  
20 identification.)

21          Q.     (By Mr. Cross) All right. Let me hand  
22 you what's been marked as Exhibit 12, which is Tab 6.

23                 MR. CROSS: Did we load the picture of  
24 Jeff Lenberg?

25                 MR. SPARKS: It's Exhibit 9.

1           Q.     (By Mr. Cross) Okay. Mr. Stone, do you  
2 recognize Exhibit 12?

3           A.     I don't.

4           Q.     Okay. If you look at the top of the  
5 second page, the first substantive page of the e-mail  
6 thread, do you see there's an e-mail from Jennifer  
7 Herzog, to Ryan Germany at the Secretary's Office,  
8 copying Anthony Rowell on April 12th of 2022?

9           A.     I do.

10          Q.     And Anthony Rowell is an attorney for the  
11 County Board of Elections?

12          A.     That's correct.

13          Q.     And Jennifer Herzog is one of his  
14 partners; is that right?

15          A.     That's correct.

16          Q.     And they're at the same firm that Mr. Delk  
17 is at?

18          A.     That's correct.

19          Q.     Okay. If you look at the start of this  
20 e-mail on the second page of the e-mail thread, you  
21 see it starts with an e-mail from Emma Brown at "The  
22 Washington Post" on April 12th of 2022?

23          A.     Okay. Where are you referring to that?

24          Q.     Right here (indicating).

25          A.     Right here. Yeah. Okay.

1           Q.     And so Miss Brown reaches out on behalf of  
2     "The Washington Post" to Wesley Vickers, Anthony  
3     Rowell, Jennifer Herzog.

4                     Do you see that?

5           A.     I do.

6           Q.     What is Wesley Vickers' role in Coffee  
7     County?

8           A.     He's County manager.

9           Q.     Okay. And if you read this e-mail -- and  
10    you can take a moment with it, if you need to --  
11    you'll see that Miss Brown is reaching out asking  
12    about the visit by Scott Hall and others that we now  
13    see in the video that's been produced in January of  
14    2021.

15                    Do you see that?

16          A.     I do.

17          Q.     If you come up, Miss Herzog forwards this  
18    on to Eric Chaney. Do you see at the top of the  
19    page?

20                    She writes, "Eric, we received the below  
21    correspondence at 5:05 a.m. today."

22          A.     Yes.

23          Q.     And then if you come to the bottom of the  
24    first page of the thread, you'll see that Eric Chaney  
25    responds to Miss Herzog that same day at 2:29 p.m.



1 Do you see that?

2 A. I do. Where it says, Tony, Jennifer, I do  
3 not know?

4 Q. Yes, sir.

5 A. I do see that.

6 Q. And Mr. Chaney wrote to Mr. Herzog. "I do  
7 not know Scott Hall; and, to my knowledge, I am not  
8 aware of nor was I present at the Coffee County Board  
9 of Elections and Registration's office when anyone  
10 illegally accessed the server or the room in which it  
11 is contained."

12 Do you see that?

13 A. I do.

14 Q. You now know from the video that you've  
15 seen that that was not a true statement, right?

16 MR. DELK: Object to the form. It calls  
17 for one witness -- lay witness to comment on the  
18 veracity of another's testimony or credibility,  
19 should I say.

20 Q. (By Mr. Cross) You now know that that's  
21 not a true statement, right?

22 A. I do.

23 Q. Okay.

24 A. Well, if Scott Hall was in those pictures  
25 at the same time that he was in the Elections Office.

1 Is that what the pictures show?

2 Q. Well, we're not specifically referring to  
3 Mr. Hall. I mean, Mr. Chaney makes a much broader  
4 statement. Right. What he says is I'm not aware of  
5 nor was I present at the County Coffee County Board  
6 of Elections and Registration's office when anyone --

7 A. Uh-huh.

8 Q. -- illegally accessed the server or the  
9 room in which it is contained.

10 And you now know that that was not a true  
11 statement, right, sir?

12 MR. DELK: Object to the form.

13 THE WITNESS: Yes.

14 Q. (By Mr. Cross) Okay. Then if you come  
15 down, do you see in the middle of the paragraph about  
16 five lines down, there's a sentence that reads, "I  
17 have no knowledge..."?

18 A. I do.

19 Q. And there Mr. Chaney wrote, "I have no  
20 knowledge whether or not Misty allowed anyone without  
21 authorization to access the server room (which  
22 remains locked; and because of the layout of the  
23 Elections Office, which is very small, you have to  
24 walk through Misty's office to access that room.  
25 Therefore, it is highly unlikely, if not impossible

1       for her not to know who did or did not enter the  
2       server room."

3                     Do you see that?

4             A.       I do.

5             Q.       You now know that the statement, "I have  
6       no knowledge whether or not Misty allowed anyone  
7       without authorization to access the server room," you  
8       now know that was not a true statement, right, sir?

9                     MR. DELK: Object to the form.

10            THE WITNESS: Misty -- I mean, is it not  
11       true that Misty could have portrayed the people  
12       as being legitimate Secretary of State  
13       officials?

14            Q.       (By Mr. Cross) Are you suggesting that  
15       Eric Chaney thought that the individuals we've seen  
16       in the photos, that -- that Eric Chaney thought --

17            A.       I'm -- I'm not -- I'm not --

18                     I don't know the answer to that.

19            Q.       Okay. But we know that Eric Chaney was in  
20       the office on January 7 and 8?

21            A.       According to the photographs, we do.

22            Q.       Okay. And we know that the access those  
23       individuals had was not authorized, right?

24            A.       That's true.

25            Q.       Okay. All right. You can put that aside.

1           A.       (Witness complies with request of  
2       counsel.)

3           Q.       Are you aware that the County produced the  
4       video that you reviewed earlier this week to us, that  
5       that's when we got it?

6           A.       Yes.

7           Q.       Okay. Do you have any insight as to why  
8       the County first told us in discovery and told  
9       Marilyn Marks in response to Open Records Request  
10      that no such video existed?

11          A.       I don't.

12                 MR. CROSS: Adam, can you grab 11.

13                 MR. SPARKS: 11?

14                 MR. CROSS: Yeah.

15                 13.

16                 (Exhibit 13 was marked for  
17      identification.)

18          Q.       (By Mr. Cross) Let me hand you what's  
19      been marked as Exhibit 13.

20                 And do you recognize Exhibit 13 as a  
21      picture inside the Coffee County Elections Office?

22          A.       Yes.

23          Q.       Okay. And that's Ed Voyles on the right?

24          A.       Yes.

25          Q.       And does that look like Eric Chaney to you

1 in that ball cap?

2 A. It does.

3 Q. Yeah. Okay. You can put that aside.

4 Does the Board ever use Signal for  
5 communications?

6 A. No.

7 Q. Do you know whether any member of the  
8 Board personally uses Signal?

9 A. I don't.

10 MR. DELK: Object to the form.

11 Q. (By Mr. Cross) Okay. How does the Board  
12 typically communicate with respect to -- to Coffee  
13 County elections business?

14 A. We establish a calendar one time a year.  
15 We know that it's the first Tuesday morning at 9:30  
16 of every month, so we know when our meetings are; but  
17 we many times are reminded on text -- meeting at  
18 9:30. So text.

19 What was the rest of your question?

20 Q. How does the Board communicate about  
21 elections business?

22 A. That's essentially the way that we --  
23 of --

24 Of course, now board members don't have --  
25 We don't have any County-assigned devices, a

1 computer, a phone. We don't have -- We don't have  
2 County assigned e-mails; but I mean, we may get a  
3 message from time to time.

4 For instance, I had -- I recall and  
5 submitted a communication I had with Misty on L&A  
6 testing, logic and accuracy testing. Okay. You see  
7 so we communicated on e-mail that way as well, but  
8 that's not --

9 That's not the way that we communicate.  
10 For one thing we know when our meetings are and then  
11 we are reminded about meetings on text.

12 And I was asking her to describe what is  
13 L&A testing.

14 Q. Okay. Do you know what efforts were made  
15 for the -- the Board responding to the document  
16 subpoenas it received in this case for board members  
17 and employees to search text messages and e-mails and  
18 personal devices for responsive --

19 A. Yes.

20 Q. -- doc --

21 A. Yes. We were --

22 MR. DELK: Object to the form.

23 THE WITNESS: We were told to search our  
24 devices for any communications that we had.

25 Q. (By Mr. Cross) And do you know whether

1 members of the Board found text messages that were  
2 responsive?

3 A. I'm -- I'm not -- I'm not certain that  
4 they did.

5 Q. All right. You're not aware of any Board  
6 member finding responsive text messages?

7 A. I -- I'm not --

8 MR. DELK: Object to form.

9 THE WITNESS: -- aware of that.

10 Q. (By Mr. Cross) What about the employees,  
11 Rachel and her assistant?

12 A. You mean did we have communications with  
13 Rachel?

14 Q. Sorry. Let me ask a better question.  
15 Yeah.

16 Do you know whether the current elections  
17 supervisor or her assistant searched their e-mails  
18 and personal devices as well?

19 MR. DELK: Object to the form to the -- to  
20 the extent some of this was managed by counsel;  
21 but to the extent either way, you can respond.

22 THE WITNESS: I -- I don't know about  
23 Rachel's text messaging. I would verify that  
24 she sent text messages that said reminder of  
25 meeting on Tuesday morning type of message.

1           Q.     (By Mr. Cross) Did board members, from  
2 time to time, exchange text messages with Misty  
3 Hampton when she was the elections supervisor?

4           A.     In the same way, and then I would have no  
5 idea. Everybody had everybody's number, so I would  
6 have no idea if they communicated that way or not.

7           MR. CROSS: 39.

8                     (Exhibit 14 was marked for  
9 identification.)

10          Q.     (By Mr. Cross) All right. Let me hand  
11 you what's been marked as Exhibit 14, and this is Tab  
12 39. So these are text messages that Misty Hampton  
13 produced in response to a subpoena.

14                     And if you look at the top, do you see  
15 where it says, "Messages - Eric Chaney"?

16          A.     I do.

17          Q.     So these are text messages between Miss  
18 Hampton and Eric Chaney, according to Miss Hampton.

19                     Do you understand that?

20          A.     I do.

21          Q.     And were you aware that Mr. -- I asked Mr.  
22 Chaney about some of these messages in his  
23 deposition?

24          A.     I'm not.

25          Q.     Have you read his deposition transcript?



1           A.       I have not.

2           Q.       Has anybody talked to you about his  
3 deposition?

4           A.       No.

5                   MR. DELK: Object to the form to the  
6 extent any of that would be privileged  
7 communication.

8           Q.       (By Mr. Cross) If you look at the bottom,  
9 you'll see these little page numbers. Sorry.  
10 They're kind of small --

11          A.       Uh-huh.

12          Q.       -- and gray. Flip to, if you would,  
13 please -- Let's see. Oh, flip to Page 15 of 24.

14          A.       (Witness complies with request of  
15 counsel.)

16          Q.       So if you look in the middle, do you see  
17 there's a date November 19, 2020 at 5:19 p.m.?

18          A.       I do.

19          Q.       And this is -- Because this is from Misty  
20 Hampton's phone, do you understand the green texts  
21 are texts that Misty Hampton sent. The gray texts  
22 are texts that Mr. Chaney sent?

23          A.       Okay.

24          Q.       And so Mr. Chaney texts her. "Do you have  
25 the election bulletin from the Secretary of State

1 Office about how the audit had proved the machines  
2 reliable and that notes should certify the original  
3 numbers?"

4 Do you see that?

5 A. I do.

6 Q. She responds, "I will go back on firefly  
7 and find them."

8 Mr. Chaney then responds e-mail them to  
9 me, please. Trump's man wants them.

10 Do you see that?

11 A. I do.

12 Q. Do you have any insight as to who the  
13 Trump's man was?

14 A. I don't.

15 Q. Are you familiar with the name Robert  
16 Sinners?

17 A. I'm not.

18 Q. Are you aware that Robert Sinners works in  
19 the Secretary of State's Office?

20 A. I'm not aware of that.

21 Q. Are you familiar with an issue involving  
22 an effort in Georgia to create a slate of electors  
23 for the electoral college that would have voted for  
24 Trump instead of Biden?

25 A. Only through --

1 MR. DELK: Object to the form.

2 THE WITNESS: Only through the media.

3 Q. (By Mr. Cross) Are you aware that Cathy  
4 Latham was one of the individuals?

5 A. I'm not aware of that.

6 Q. Were you aware that Robert Sinners was one  
7 of the people who organized that effort?

8 A. I'm not.

9 Q. So you've never heard of Robert Sinners?

10 A. I have not.

11 Q. All right. Flip to Page 19 of 24.

12 A. (Witness complies with request of  
13 counsel.)

14 Q. Do you see at the top there's a date,  
15 December 30 of 2020 at 4:00 p.m.?

16 A. I do.

17 Q. And here, these are three images of poll  
18 pads in Coffee County that Miss Hampton sent to Mr.  
19 Chaney on this date.

20 Do you see that?

21 A. I do.

22 MR. DELK: Object to the form.

23 Q. (By Mr. Cross) I'm sorry. Did you say  
24 yes?

25 A. Yes.

1           Q.     Okay.  If you look at the first one, do  
2     you see that there's a Netflix screen on the poll  
3     pad?

4           A.     There's a Netflix screen.

5                     Okay.  I don't see where it says Netflix  
6     but --

7           Q.     If you look in the top left corner of that  
8     picture.

9           A.     I do.  I do now.

10          Q.     You see?

11          A.     Yes.

12          Q.     Okay.  Did the Board ever discuss the fact  
13     that the elect -- that the poll pads used in Coffee  
14     County could be used to access the Internet?

15          A.     No.

16          Q.     Miss Hampton, to your knowledge, never  
17     informed the Board that -- that her daughter, in  
18     fact, would watch videos on the poll pads while --

19          A.     No.

20          Q.     -- while elections were ongoing?

21                     MR. DELK:  Make sure you let him --

22                     THE WITNESS:  Wait till he finishes the  
23     question.

24                     No.  She never informed us of that.

25          Q.     (By Mr. Cross)  All right.  And I gather

1 Mr. Chaney never raised that with the Board, even  
2 though we can see here that Miss Hampton alerted him;  
3 is that fair?

4 A. That's correct.

5 Q. Is it a concern to the Board that the poll  
6 pads that are used at the polls are connected to the  
7 Internet?

8 A. I can't answer that.

9 Q. Okay. But you didn't know that before  
10 now?

11 A. That they could be used to watch Netflix,  
12 no. I didn't know that before now. No. And that  
13 they connect to the Internet that way.

14 Q. Okay. If you turn to the next page, so 20  
15 of 24 --

16 A. I mean, can I ask you a question. Did  
17 these pictures come from our Elections Office?

18 Q. Well, I'm not the witness, so I will -- I  
19 will tell you that our understanding is that Misty  
20 Hampton took these photos of the poll pads in the  
21 Elections Office and sent them to Eric Chaney showing  
22 him the Internet connectivity.

23 A. Okay.

24 Q. But --

25 MR. DELK: Well, I object --

1 Q. (By Mr. Cross) -- again, I'm --

2 MR. DELK: -- to the extent there's a lack  
3 of foundation, but you -- I know you qualified  
4 that with that's your understanding; but since  
5 Misty's not been deposed, I don't know that's  
6 record evidence.

7 MR. CROSS: I -- I am not offering that  
8 as record evidence.

9 Q. (By Mr. Cross) Just answering your  
10 question, Mr. Stone.

11 A. Yeah.

12 Q. Okay. So we're still on the same day  
13 going to the top of the next page, and I actually --

14 I don't recall if Mr. Chaney testified  
15 substantively on this and acknowledged this. I'd  
16 have to go back and look at his testimony, so it may  
17 actually be in the record, but I -- I don't know.

18 So looking on the top of the same page,  
19 you can see here that Miss Hampton sends some  
20 additional screen shots to Mr. Chaney on December 30.

21 Do you see that?

22 A. I do.

23 Q. And the first one, she indicates, is a  
24 screenshot of the computer that the IC scanner -- ICC  
25 scanner is connected to.

1                   You see that?

2           A.     I do.

3           Q.     And then the next one is a screenshot.  
4     She says that the EMS server computer.

5                   Do you see that?

6           A.     I do.

7           Q.     Has there ever been any discussion at the  
8     Board level about the fact that the computers used  
9     with the ICC and the EMS server include software that  
10    is not necessary for or used with running elections  
11    in the County?

12          A.     No.

13          Q.     So to your knowledge, that's not something  
14    that Miss Hampton or Mr. Chaney raised with the --  
15    with the full Board?

16          A.     No.

17          Q.     Okay. Are you aware of any measures by  
18    the State or the County to deal with the issue of the  
19    poll pads connecting to the Internet?

20          A.     No.

21          Q.     Are you aware of any measures by the State  
22    or the County to deal with any risk associated with  
23    unnecessary software on the ICC and EMS computers?

24          A.     Not aware.

25          Q.     Fair to say that's something that the

1 County would rely on the State to deal with?

2 A. Yes.

3 Q. Okay. All right. Flip to -- All right.  
4 Flip to --

5 MR. CROSS: You all right, Julie? You  
6 need a break?

7 THE COURT REPORTER: I'm good.

8 MR. CROSS: Okay. Do they have the --

9 Q. (By Mr. Cross) So just to answer your  
10 question, Mr. Stone, Eric Chaney testified in his  
11 deposition in response.

12 Regarding these same screen shots, I asked  
13 him.

14 And there are three screen shots of poll  
15 pads, three photos of poll pads that Miss  
16 Hampton sent to you. Do you see that?

17 Yes.

18 And on the first one, she shows that the  
19 poll pad is accessing Netflix, right?

20 Yes.

21 And on the second one, she shows that the  
22 poll pad is accessing -- what is she -- What is  
23 that? Do you know what that is, some sort of  
24 game?

25 He says I'm not sure.



1                   One of the things that Miss Hampton had  
2                   raised as a concern with you and others was the  
3                   that the poll pads used in Georgia are connected  
4                   to the Internet, right?

5                   That's correct.

6                   So Mr. Chaney testified that this was  
7                   raised with him and others. But is it your testimony  
8                   that that concern was never raised with anyone else  
9                   on the Board?

10                  A.       It is.

11                  Q.       Okay. All right. Come back to Page 22.  
12                  So we're on January 6 of 2021, 4:26 p.m. in the  
13                  middle of the page. It's right down here  
14                  (indicating), if you see that.

15                         And you see Misty Hampton texts Eric  
16                         Chaney. Scott Hall is on the phone with Cathy about  
17                         wanting to come scan our ballots from the general  
18                         election like we talked about the other day. I'm  
19                         going to call you in a few.

20                         Do you see that?

21                  A.       I do.

22                  Q.       Was the Board aware that Scott Hall or  
23                         anyone else was coming in, in January of 2021 to scan  
24                         ballots?

25                  A.       The Board was not.

1 Q. So that's not something the Board  
2 authorized?

3 A. It is not something the Board authorized.

4 Q. Okay. And was the Board aware at or  
5 around this time that Eric Chaney, Cathy Latham, and  
6 Misty Hampton were working together to allow Scott  
7 Hall and others access to the Elections Office in  
8 early January of 2021?

9 MR. DELK: Object to the form.

10 THE WITNESS: The Board was not aware of  
11 that.

12 Q. (By Mr. Cross) Okay. Except for Mr.  
13 Chaney himself?

14 A. Except for Mr. Chaney.

15 MR. DELK: Object to the form.

16 Q. (By Mr. Cross) All right. Look at the  
17 top of the next page, January 7, 2021.

18 So this is 7:24 p.m. January 7, so this is  
19 the end of the day where we've seen from the video  
20 that various individuals came into the Elections  
21 Office and copied equipment.

22 Are you with me?

23 A. Yes.

24 Q. Okay. And Mr. Chaney sends to Misty  
25 Hampton a phone number.

1 Do you see that?

2 A. I do.

3 Q. Do you recognize that number?

4 A. That 864 number there?

5 Q. Yes, sir.

6 A. I don't -- I don't recognize that number.

7 Q. Okay. We looked that up online. That's a  
8 number registered to Robert Sinners.

9 Do you have any idea why Mr. Chaney was  
10 sending Robert Sinner's number to Misty Hampton the  
11 same day that the office was breached?

12 A. I don't.

13 MR. DELK: Object to the form.

14 Q. (By Mr. Cross) And then Mr. Chaney  
15 writes, "Let's switch to Signal..."

16 Do you see that?

17 A. I do.

18 Q. Are familiar with Signal?

19 A. I'm not.

20 Q. So that's not --

21 A. I mean, I'm not familiar with it beyond  
22 this discussion; and I've never looked at it. I've  
23 never used it. I know that it's a communication  
24 website that makes the messages disappear.

25 Q. Oh.

1 A. Okay. That's what I know about it.

2 Q. Okay. I appreciate that.

3 A. I mean, is that fair assessment of --

4 Q. Yes.

5 A. -- what it is?

6 Q. Yes. Thank you.

7 Do you -- Does the Board have any insight  
8 as to why Eric Chaney was asking Misty Hampton to  
9 switch to Signal instead of text at this time?

10 A. The Board --

11 MR. DELK: Object to the form.

12 THE WITNESS: The Board does not.

13 Q. (By Mr. Cross) All right. Do you -- Are  
14 you aware that the Plaintiffs in this case first  
15 served their subpoenas for documents and testimony  
16 back in June or July?

17 A. When you say the Plaintiffs, you're  
18 referring to?

19 Q. The -- My clients and the other  
20 Plaintiffs in this case.

21 A. I -- I don't recall exactly when they  
22 were.

23 Q. That's fair. Let me ask a different  
24 question.

25 Do you understand that the Plaintiffs

1 served our subpoenas on the -- on the -- the County  
2 Board of Elections before Eric Chaney resigned?

3 A. Yes.

4 Q. All right. Are you aware of any efforts  
5 made by the County Board of Elections to collect  
6 documents from Eric Chaney responsive to the  
7 subpoenas?

8 MR. TYSON: Same object -- Same objection  
9 as earlier to the extent some of those efforts  
10 were coordinated by counsel.

11 THE WITNESS: Okay.

12 MR. DELK: You can answer if you  
13 understand it.

14 THE WITNESS: I'm not aware of any.

15 Q. (By Mr. Cross) Who would you ask if you  
16 wanted to know whether such efforts were made?

17 A. Who would I ask? I'm not certain.  
18 Counsel.

19 Q. Okay. Is it your understanding that  
20 the -- the Board relied on its counsel to search for  
21 and -- and produce documents responsive to the  
22 subpoenas?

23 A. I -- That's not necessarily my  
24 understanding.

25 My -- My understanding was that we were

1 to supply any documentation that we had. At the same  
2 time, without knowing what was being sought, I mean,  
3 any communication is what we were to come up with, so  
4 I mean, if that answers your question and --

5 Q. Anything --

6 A. And --

7 Q. Go ahead.

8 A. -- efforts were made with board members to  
9 provide that documentation.

10 Q. Okay. And when you say any communication,  
11 what do you mean?

12 A. I mean any communication -- phone calls,  
13 texts, conversations, e-mails.

14 Q. Regarding what?

15 A. Regarding the subpoenas.

16 Q. So the -- the scope of what was called for  
17 in the document subpoenas, is that the idea?

18 A. I -- I don't understand your question  
19 from here.

20 Q. So when you say --

21 MR. DELK: I think you're saying  
22 documents. He's thinking subpoena. Y'all are  
23 on the same page; but you know, clarify.

24 MR. CROSS: All right.

25 THE WITNESS: We were asked to give any

1           communications that we had with Misty, Jil.

2           Q.       (By Mr. Cross) What about among the board  
3 members themselves?

4           A.       And above -- And among the board members,  
5 yes.

6           Q.       Okay. And with -- with subsequent  
7 Elections Office employees such as Mr. Barnes,  
8 Rachel?

9           A.       I don't recall.

10          Q.       Oh. Do you have any insight as to why the  
11 County has not produced any communications from Mr.  
12 Chaney?

13          A.       I don't.

14          Q.       And you don't know what efforts, if any,  
15 were made before he left the Board to collect  
16 communications from him?

17                   MR. DELK: Object to the form.

18                   THE WITNESS: Same -- Same requests were  
19 made of him that were made of us.

20          Q.       (By Mr. Cross) Do you know whether he  
21 provided any responsive communications to the  
22 County's counsel?

23          A.       I do not.

24          Q.       All right. Looking a back at Exhibit

25       14 --

1 MR. SPARKS: Yes.

2 Q. (By Mr. Cross) So we're still on -- We  
3 were on January 7. Now the next text is January 8,  
4 2021.

5 Do you see that?

6 A. I do.

7 Q. Then we get to January 12th, 2021.

8 Do you see that?

9 A. Yes.

10 Q. And Miss Hampton texts Eric Chaney. Well,  
11 there's a name "Bob" and then "Chris Linscheid,"  
12 L-I-N-S-C-H-E-I-D, and a phone number.

13 Do you see that?

14 A. I do.

15 Q. Do you know who Chris Linscheid is?

16 A. I don't.

17 Q. Any insight as to why she was sending that  
18 information to Mr. Chaney?

19 A. No.

20 MR. DELK: Object to the form.

21 Q. (By Mr. Cross) All right. Then on  
22 January 15, 2021, do you see that Miss Hampton sends  
23 a text to Mr. Chaney -- "Do you have Snapchat?  
24 Signal is down!"

25 A. I see that.



1           Q.     Did members of the Board or employees of  
2     the Elections Office sometimes communicate using  
3     Snapchat?

4           A.     No.

5           Q.     And how do you know that?

6           A.     You know, I really don't know; but I can  
7     tell you that I never --

8           Q.     Okay.

9           A.     -- communicated with anybody on Snapchat,  
10    and I never got a Snapchat, and so I'm 100 percent  
11    confident that members of the Board do not use  
12    Snapchat to communicate with each other.

13          Q.     But you don't know whether Eric Chaney  
14    used Snapchat to communicate with Miss Hampton, as  
15    she suggests here; is that right?

16          A.     I don't know.

17          Q.     Okay.

18          A.     And I mean, in all honesty, I don't know  
19    what the other board members have on their phone; but  
20    I wouldn't -- I would think no. They did not  
21    communicate on Snapchat.

22          Q.     Okay.

23          A.     My official answer is, no, we didn't  
24    communicate on Snapchat.

25          Q.     For official Board business?

1           A.       In any way. And especially for official  
2       Board business.

3           Q.       So then we come to January 19, 2021; and  
4       Misty Hampton, writes to Eric Chaney. "If you happen  
5       to be in town, the guys measuring my desk are still  
6       here."

7                     Do you see that?

8           A.       I do.

9           Q.       There was no one measuring her desk at  
10       that time, right, sir?

11                    MR. DELK: Object to the form.

12                    THE WITNESS: I don't know.

13           Q.       (By Mr. Cross) Are you aware that that  
14       was code that she and Eric Chaney worked out for her  
15       to convey to him in a stealthy way that she -- the  
16       individuals we saw in these photos that visited on  
17       January 19, that she had helped them get access to  
18       the equipment?

19                    Had you heard that before today?

20           A.       No.

21           Q.       Oh. That's not something that she or Mr.  
22       Chaney shared with the Board, to your knowledge?

23           A.       To my knowledge, no.

24           Q.       Okay.

25           A.       They didn't share that information with

1 us.

2 Q. Then you get to January 2021, the next  
3 day; and she asked Mr. Chaney, "Do you have a high  
4 capacity scanner in your office?"

5 Do you see that?

6 A. I do.

7 Q. Any insight as to why she wanted a  
8 high-capacity scanner?

9 A. No.

10 MR. DELK: Object to the form.

11 Q. (By Mr. Cross) Are you aware that for a  
12 few weeks in January, Miss Hampton scanned cast  
13 ballots from the January Senate runoff in 2021 and  
14 the November General Election in 2020, that she  
15 scanned those cast ballots and put them on a drive  
16 that she then shipped off to someone?

17 A. I'm not aware of that. The Board is not  
18 aware of that.

19 Q. And if you come further down. You'll see  
20 a text that she sends on January 27 of 2021, 9:23  
21 a.m. She writes to Eric Chaney. "I took care of the  
22 people measuring my desk."

23 Do you see that?

24 A. I do.

25 Q. So fair to say, you -- you had not heard

1 before that that was her way of letting Mr. Chaney  
2 know that she had sent the cast ballots off to the  
3 individuals who wanted them?

4 A. I had not. Not before this minute right  
5 here.

6 MR. CROSS: 40. Thank you.

7 (Exhibit 15 was marked for  
8 identification.)

9 Q. (By Mr. Cross) All right. Let me hand  
10 you what's been marked as Exhibit 15.

11 A. Uh-huh.

12 Q. And this is Tab 40.

13 And I can tell you these are more text  
14 messages that were produced by Miss Hampton in  
15 response to the subpoena; and if you look at the top,  
16 it indicates the individuals who are on the thread.  
17 It says Messages - Andy Thomas, Earnestine  
18 Thomas-Clark, Eric Chaney, Matthew McC, and Wendell  
19 Stone.

20 A. Uh-huh.

21 Q. Do you see that?

22 A. I do.

23 Q. And those were all individuals on the  
24 Board for Coffee County Elections as of January 2021,  
25 right?

1 A. That's correct.

2 Q. Yeah. If you -- If you turn to the  
3 second page, at the bottom, there's a date of  
4 February 24, 2021 at 9:19 p.m.

5 Do you see that?

6 A. I do.

7 Q. And here, Misty Hampton texted you and  
8 others on the Board. "I have been asked to go speak  
9 at the rotary club tomorrow at noon. I was asked to  
10 talk about the election process."

11 Do you see that?

12 A. I do.

13 Q. So this is -- Do you recall that Miss  
14 Hampton was let go on February 25th of 2021?

15 A. That's correct.

16 Q. Okay. And then Matthew McC, that's  
17 Matthew McCollough, right?

18 A. That's correct.

19 Q. He responds Tony had mentioned us  
20 discussing any conversations about elections with him  
21 first. We have another new lawsuit and the  
22 possibility of another after that. So would prefer  
23 we check with him on any speaking engagements,  
24 interviews et, cetera.

25 Do you see that?

1 A. I do.

2 Q. Tony is Tony Rowell, the County attorney?

3 A. That's correct.

4 Q. What was the new lawsuit that was filed as  
5 of this time -- Well, strike that.

6 What -- what is -- What did Mr.

7 McCullough refer to here as the new lawsuit?

8 MR. DELK: Objection to the extent this --

9 THE WITNESS: I'm not --

10 MR. DELK: -- involves any attorney-client  
11 communications.

12 THE WITNESS: And I don't recall what that  
13 lawsuit was about, and the -- And the -- the  
14 request, Open Records Requests have been  
15 ongoing, and so I -- I don't recall  
16 specifically what that was in reference to.

17 Q. (By Mr. Cross) But you understand Open  
18 Records Requests are not the same as a lawsuit?

19 A. I do.

20 Q. Okay. Do you --

21 A. And you understand I'm not a lawyer and  
22 subpoenas and Open Records Requests and everything to  
23 me is all legal jargon, and I know that it's serious  
24 to respond respectfully to this, and so -- Okay.

25 So --

1 Q. Okay. Do you -- Do you recall a lawsuit  
2 that was actually filed or threatened against Coffee  
3 County in the February 2021 timeframe?

4 MR. DELK: Object to the form.

5 THE WITNESS: You'll have to give me some  
6 more details. I --

7 Q. (By Mr. Cross) I -- I'm asking you. Do  
8 you recall one way or the other?

9 A. I don't recall that. No.

10 Q. And when Mr. McCollough wrote "and the  
11 possibility of another," do you have any recollection  
12 of -- of any kind of lawsuit, two, multiple lawsuits  
13 being threatened against the County?

14 A. Against the Election Board?

15 Q. Or against Coffee County at all.

16 MR. DELK: Object to the form.

17 THE WITNESS: I don't -- I don't know.

18 Q. (By Mr. Cross) Has Dominion ever  
19 threatened a lawsuit against Coffee County?

20 A. Not to my knowledge.

21 Q. Do you have any insight as to whether  
22 Dominion is aware of the breach of the Coffee County  
23 election system in January of 2021?

24 A. I'm not certain.

25 Q. Was there ever any communications between

1 the Board or anyone in the Elections Office or anyone  
2 employed by Coffee County and Dominion regarding that  
3 breach?

4 A. I'm not certain.

5 Q. Was the threat of a lawsuit regarding the  
6 breach of the Coffee County office -- Did that  
7 factor into the decision to let Misty Hampton and Jil  
8 Riddlehoover go in February of 2021?

9 MR. DELK: Object to the form.

10 THE WITNESS: Ask the question again.

11 Q. (By Mr. Cross) Did the threat of a  
12 lawsuit regarding the breach of the Coffee County  
13 Elections Office, did that factor into the Board's  
14 decision to let Misty Hampton and jidle (ph.) -- Jil  
15 Riddlehoover go?

16 A. No.

17 Q. What was the basis for that decision?

18 A. The basis to let them go?

19 Q. (Attorney nods head.)

20 A. They falsified their timesheets indicating  
21 that they were at work when clearly they were not.

22 Q. How did that concern first get raised with  
23 the Board?

24 A. I didn't recall exactly how it was first  
25 raised with the Board; but when the attorney met with



1       them, we were all present; and I think, as I recall,  
2       a meeting was held prior to the attorney showing up.  
3       That's the way that was raised for the Board.

4             Q.       A -- A meeting was held with whom?

5             A.       Board members.

6             Q.       The same day that -- that you met with  
7       Miss Hampton or before?

8             A.       And I can't recall if it was on the same  
9       day or if it was -- It was pretty in close proximity  
10      to it.

11            Q.       Okay. What we -- we see in this thread on  
12      February 24th, Mr. McCollough, Ms. Thomas-Clark, and  
13      Mr. Chaney all respond to Miss Hampton thinking about  
14      speaking at the Rotary Club. And there's no  
15      suggestion that she's being let go, right?

16            A.       That's right.

17            Q.       So was the decision made to let her go,  
18      was that made the same day the Board met with her?

19            A.       Yes.

20            Q.       Okay. And how -- Was it -- Was it the  
21      county's counsel, Mr. Rowell, for example, that  
22      raised this concern with the Board about her  
23      timesheets?

24            A.       As I recall, yes.

25            Q.       All right. And I understood you said

1 earlier the board members themselves did not review  
2 any video with respect to checking the hours that she  
3 was there; is that right?

4 MR. DELK: Object to the form.

5 THE WITNESS: No.

6 Q. (By Mr. Cross) So fair to say the Board  
7 relied on a review that was performed by the County  
8 counsel?

9 MR. DELK: Object to the form.

10 THE WITNESS: Yes.

11 Q. (By Mr. Cross) Did Miss Hampton deny in  
12 the meeting that she had fraudulently recorded her  
13 hours?

14 A. It was her contention that she was allowed  
15 to come to work based on comp time.

16 Q. Right. It was her contention that she  
17 wasn't overpaid, because the time she had factored in  
18 comp time that she was owed; is that right?

19 A. That's right.

20 Q. And did Eric Chaney acknowledge that in  
21 the meeting?

22 A. Did he acknowledge what?

23 Q. That that arrangement had been worked out  
24 with her to approach comp time in that way?

25 A. I don't recall that. I don't recall what

1 specific board members said in the meeting.

2 Q. Did anyone acknowledge or disagree with  
3 what she said on that topic?

4 A. Counsel.

5 Q. Mr. Rowell?

6 A. Uh-huh.

7 Q. Yes?

8 A. Yes.

9 Q. And did he agree or disagree?

10 A. Disagreed.

11 MR. CROSS: All right. Let me show you  
12 quickly 16 -- tab -- or Exhibit 16, which is Tab  
13 19.

14 (Exhibit 16 was marked for  
15 identification.)

16 Q. (By Mr. Cross) And let me go ahead and  
17 hand you Exhibit 17 as well, which is Tab 20.

18 (Exhibit 17 was marked for  
19 identification.)

20 Q. (By Mr. Cross) And you can look at  
21 Exhibits 16 and 17. But just ask you. Exhibit 16,  
22 that's a copy of the resignation letter that Jil  
23 Riddlehoover signed on February 25th of 2021; is that  
24 right?

25 A. Yes.

1 Q. Yeah. And that resignation letter was  
2 prepared by the county's counsel. It was not written  
3 by Miss Ridlehoover, right?

4 A. That's correct.

5 MR. DELK: Object to form.

6 Q. (By Mr. Cross) And then Exhibit 17, that  
7 is the resignation letter signed by Miss Hampton on  
8 February 25th of 2021, right?

9 A. It is.

10 Q. And that letter was also prepared by  
11 Ms. -- I'm sorry -- by County counsel?

12 A. Yes.

13 Q. Okay. At the meeting with Miss Hampton,  
14 was she told that if she did not sign the resignation  
15 letter and, instead, was terminated by the County,  
16 that she would forfeit any kind of retirement that  
17 she was owed?

18 A. I -- I do not recall.

19 Q. Did she come to the meeting with her own  
20 resignation letter that she had drafted and had ready  
21 to hand over?

22 A. I don't recall.

23 Q. You don't recall any discussion that --  
24 that she had to sign the letter that was prepared by  
25 counsel, instead of the letter that she had prepared

1 herself?

2 A. I don't -- I don't recall if she had  
3 brought or written her own letter.

4 Q. So the County lets Miss Hampton and Miss  
5 Riddlehoover go on February 25th.

6 Oh. Are you aware that the very same day  
7 Mike Lindell flew in on his private plane to Douglas,  
8 Georgia airport?

9 A. I'm not.

10 Mike Lindell?

11 Q. You know who Mike Lindell is, right?

12 A. That's the pillow guy.

13 Q. My Pillow Guy. Yeah.

14 And you're --

15 A. Mike Lindell, I'm not aware of his  
16 presence in Douglas at all.

17 Q. And you're -- you're familiar that Mr.  
18 Lindell has had a prominent role with respect to  
19 the -- the Trump action and -- and allegations that  
20 the November 2020 election -- presidential election  
21 was stolen?

22 A. Only through media reporting.

23 MR. CROSS: All right. All right. Let me  
24 hand you what's been marked as Exhibit 18.

25 ///

1 (Exhibit 18 was marked for  
2 identification.)

3 Q. (By Mr. Cross) So you see here that  
4 there's an indication Mike Lindell's My Pillow Guy  
5 indicates that he flew into Douglas, Georgia,  
6 February 25th to February 26th.

7 Do you see that?

8 A. I do.

9 Q. And do I understand correctly that the  
10 Board did not have any awareness before this moment  
11 that Mike Lindell had flown into Douglas, Georgia,  
12 the very same day that Miss Hampton and Miss  
13 Riddlehoover were let go?

14 A. That's correct.

15 Q. And there were no employees in the  
16 Elections Office besides the elections supervisor and  
17 the assistant to the elections supervisor. They're  
18 the only employees that work in that office, right?

19 A. That's correct.

20 Q. So as of February 25th before Mr. Lindell  
21 flew in, there were no employees in that office at  
22 all, right?

23 MR. DELK: Object to the form.

24 Q. (By Mr. Cross) 'Cause both had been let  
25 go that morning?

1 A. That's correct.

2 Q. Do you know whether Mr. Lindell and anyone  
3 with him visited the Elections Office in Coffee  
4 County while he was in Douglas, Georgia?

5 A. I don't.

6 Q. Do you think it would be important to find  
7 that out?

8 A. I -- I don't know.

9 Q. If you come back to the text thread we're  
10 looking at, Exhibit 15, this is the one between Miss  
11 Hampton and the -- the board members in January of  
12 2021. So in this last --

13 Turn to the last page, if you would,  
14 please.

15 A. Last page.

16 Q. Here, Mr. McCullough writes here  
17 (indicating), "I believe they sent it directly to  
18 Tony or possibly even verbally notified him. I'm not  
19 saying don't go. I'm just saying clear speaking  
20 engagements or interviews with him. But 4 other  
21 board members can certainly weigh in if I'm being too  
22 cautious."

23 Do you see that?

24 A. I do.

25 Q. And then Miss Thomas-Clark writes back,

1 "Now that I'm fully aware of the lawsuits, yes, you  
2 need to consult Tony before making a commitment."

3 Do you see that?

4 A. I do.

5 Q. Does that help your recollection at all on  
6 what these lawsuits were?

7 A. It does not help me recollect what the  
8 lawsuits are. No.

9 MR. CROSS: Oh. 43. 19.

10 (Exhibit 19 was marked for identification  
11 and subsequently withdrawn.)

12 Q. (By Mr. Cross) All right. Let me hand  
13 you what's been marked as Exhibit 19. This is Tab  
14 43.

15 So, Mr. Stone, this is a text message that  
16 Miss Hampton produced that she indicates was between  
17 her and Tony Rowell, the County attorney.

18 You understand that?

19 A. This is from Tony?

20 Q. This is -- The blue is text that Miss  
21 Hampton sent in response to the black text, which is  
22 from Tony Rowell. That's what Miss Hampton writes.

23 MR. DELK: I'm going to object.

24 This is communication with counsel when  
25 she was still employed, so although she's



1 obviously produced it to you, that's covered by  
2 attorney-client privilege is our contention; and  
3 it's improper to put it in as an exhibit or  
4 otherwise question the witness on it.

5 And this had been produced up to this  
6 juncture without our knowledge.

7 MR. CROSS: Are -- Are you saying he  
8 cannot answer questions on this?

9 MR. DELK: I'm saying it's improper for  
10 you to even have it. We would have objected to  
11 it and dealt with it otherwise had we known  
12 about it before this very moment.

13 She's clearly, well, still employed in her  
14 official capacity at this point.

15 MR. CROSS: All right. We'll put this to  
16 the side for now. We can talk about it, Steve.

17 Q. (By Mr. Cross) You can put that to the  
18 side. I'll figure that out.

19 A. (Witness complies with request of  
20 counsel.)

21 MR. CROSS: 48.

22 MR. SPARKS: We'll mark this as 20, even  
23 though I'm instructing them not to put it on the  
24 system unless it's resolved.

25 MR. CROSS: Keep it marked for now, and

1           then we'll figure out what we do.

2                   MR. SPARKS:   Okay.

3                   48?

4                   MR. CROSS:   Yeah.   48.

5                   (Exhibit 20 was marked for  
6                   identification.)

7           Q.       (By Mr. Cross)   All right.   Let me hand  
8           you what's been marked as Exhibit 20, which is Tab  
9           48.

10                   Have you seen Open Records Requests come  
11           into the County Board before or to the County  
12           Elections Office?

13           A.       Well, they come --   They come to us.  
14           We're included in the e-mails, and so --

15           Q.       So if you look --

16           A.       -- yes.

17           Q.       Oh, sorry.   Did I cut you off?

18           A.       Uh-huh.   I look --

19           Q.       You see them from time to time?

20           A.       Over and over.

21           Q.       Okay.   All right.   So if you look at  
22           Exhibit 20, start at the bottom of the first page.  
23           You'll see the first e-mail in the thread is from  
24           Georgia EDO.

25           A.       Third page.   Now right -- right here?

1 Q. Yeah. Right down here (indicating).

2 A. EDO.

3 Q. And it's Georgia EDO@donaldtrump.com.

4 Do you see that?

5 A. I do.

6 Q. And that's an e-mail that's sent on

7 November 10, 2020.

8 Do you see that?

9 A. Yes.

10 Q. And it's sent to Misty Hampton.

11 Do you see that?

12 A. Yes.

13 Q. And the subject is "Open Records Request."

14 You with me?

15 A. Yes.

16 Q. And the e-mail reads, "I hope all is well.

17 I am seeking the official meeting minutes and audio

18 of this morning's" -- and the date is given of

19 November 10th -- "Board of Elections (or,

20 Commissioners) meeting. I understand Coffee County

21 voting systems were discussed in detail, and I would

22 like to obtain as much information as possible under

23 Georgia Open Records laws."

24 Do you see that?

25 A. I do.

1 Q. Now if you go to the top of the next page,  
2 do you see the e-mail is sent from Robert Sinners?

3 A. I do.

4 Q. Does this refresh your recollection on as  
5 to who Robert Sinners is or the County's dealings  
6 with him?

7 A. It does not.

8 Q. Okay. And here it's indicated that it --  
9 that Mr. Sinners, he signs it. His signature block  
10 says, "Donald J. Trump for President."

11 Do you see that?

12 A. I do.

13 Q. Miss Hampton then responds to Mr. Sinners  
14 the same day. I'm sorry. Yes. Responds to Mr.  
15 Sinners the same day. "Would you please address the  
16 open record request to Tracie Vickers..."

17 Do you see that?

18 A. I do.

19 Q. Do you have any insight as to why Robert  
20 Sinners, on behalf of -- of Donald Trump, was looking  
21 for meeting minutes and as much information as  
22 possible under Georgia open records laws from Coffee  
23 County at this time?

24 A. I don't.

25 Q. Does the Board have any insight as to why

1 the Secretary of State's Office hired Robert Sinners  
2 in the office in February of 2021, only a few weeks  
3 after the intrusion into the Coffee County Elections  
4 Office?

5 MR. DELK: Object to the form.

6 THE WITNESS: They don't.

7 Q. (By Mr. Cross) Does the Board know why  
8 Mr. Sinners still works there today and has been  
9 promoted since?

10 MR. DELK: Object to form.

11 THE WITNESS: The Board does not.

12 Q. (By Mr. Cross) You can put that aside.

13 A. (Witness complies with request of  
14 counsel.)

15 Q. Did the Board also let Miss Hampton's  
16 daughter go for timesheet issues?

17 A. Miss Hampton's daughter was -- was not an  
18 employee of the County beyond that of -- You'd call  
19 it a kind of a temporary worker, a poll worker; but  
20 she submitted payroll timesheets -- and I don't know  
21 how many times -- but inappropriately for work that  
22 was not done.

23 (Exhibit 21 was marked for  
24 identification.)

25 Q. (By Mr. Cross) Okay. So let me hand you

1       what's been marked as Exhibit 21.

2               Do you recognize this as a calculation by  
3       the Board or its counsel of an overpayment of Dyanna,  
4       Misty Hampton's daughter, on timesheets?

5           A.       That's what it says right here.

6           Q.       Okay. So do I understand correctly that  
7       the -- the Board identified a similar timesheet issue  
8       with Miss Hampton's daughter as it did with Miss  
9       Hampton and Miss Ridlehoover?

10          A.       Yes.

11          Q.       Okay. And Miss Hampton's daughter, you  
12       said, worked on a part-time basis?

13          A.       I -- Yes.

14          Q.       So she --

15          A.       She was not officially hired in the  
16       Elections Office to work there.

17          Q.       So who paid her?

18          A.       County.

19          Q.       Was she a part-time employee of the County  
20       to help with elections?

21          A.       Beyond a poll worker, that's -- was my  
22       understanding that was what her employment consisted  
23       of.

24          Q.       Okay. And Miss Hampton was a full-time  
25       employee of the County, right?

1 A. Yes.

2 Q. And she was salaried?

3 A. Yes.

4 Q. Okay. Since she was salaried, whatever  
5 she put on her timesheets didn't actually cause any  
6 overpayment by the County, 'cause she was paid the  
7 same salary no matter what, right?

8 A. Yes.

9 Q. Miss Riddlehoover was hourly?

10 A. That's my understanding. Yes.

11 MR. CROSS: All right. I think we're at a  
12 good breaking point. Let's go off the record.

13 MR. MILLER: Oh.

14 THE VIDEOGRAPHER: The time --

15 MR. MILLER: Yeah. Go ahead.

16 THE VIDEOGRAPHER: The time is 12:27 p.m.

17 We are off video record.

18 (Recess from 12:27 p.m. to 1:11 p.m.)

19 THE VIDEOGRAPHER: The time is 1:12 p.m.

20 We are back on video record.

21 (Exhibit 22 was marked for  
22 identification.)

23 Q. (By Mr. Cross) All right. Mr. Stone, let  
24 me hand you --

25 MR. CROSS: Were we at 21? 22?

1 MR. SPARKS: You're now at 22.

2 Q. (By Mr. Cross) All right. Let me hand  
3 you what's marked as Exhibit --

4 Oh, wait. Sorry.

5 MR. CROSS: Do we only have one copy of  
6 this?

7 MR. SPARKS: It should be three.

8 MR. CROSS: Are they all --

9 MR. SPARKS: These three stapled --

10 MR. CROSS: Oh.

11 MR. SPARKS: -- are copies. This is  
12 yours.

13 MR. CROSS: I got it.

14 MR. SPARKS: Yeah.

15 Q. (By Mr. Cross) All right. So let me hand  
16 you what's been marked as Exhibit 22.

17 A. All right.

18 Q. And this is Tab 56.

19 A. Uh-huh.

20 Q. So these are more screen shots from the  
21 video the County produced. I just wanted to see if  
22 you might know this person.

23 So if you look on -- make sure I know  
24 where. 8:53. 8:55 a.m. Oh, okay.

25 So if you look at Page 1 --



1 A. Uh-huh.

2 Q. -- you should have -- You've got a young  
3 man coming into the building January 8, 2021 at 8:51  
4 a.m. in a black mask.

5 A. Uh-huh.

6 Q. Do you see?

7 A. I do.

8 Q. Do you recognize him?

9 A. I don't.

10 Q. And then the next page, he's walking out  
11 at 8:53 a.m. with some sort of equipment in his  
12 hands.

13 A. Carrying something.

14 Q. Do you know he's carrying?

15 A. I don't.

16 Q. Then if you go to Page 3, he's standing in  
17 front of the Elections Office, same day, 8:55 a.m.  
18 with sort of a hand cart and equipment on it. It  
19 looks like it might be a printer or scanner.

20 Do you know what he's got?

21 A. I don't know what that is.

22 Q. Okay. And then at 8:55 a.m. You see him  
23 roll it away from the building.

24 Do you see that?

25 A. I do.

1 Q. So you don't know who he is?

2 A. I don't know who he is. No.

3 Q. You don't recognize him as any kind of  
4 county or state official?

5 A. I don't.

6 Q. All right. Okay. Is the Board aware that  
7 during -- Oh, strike that.

8 Is the Board aware that an outside scanner  
9 was brought into the County Elections Office on or  
10 about January 7, 2021 to scan ballots?

11 A. We were aware that that was the -- That  
12 was the election that Misty conducted, and we were  
13 aware that there was a problem with the scanner, and  
14 that another scanner had to be got from another  
15 County. And it was late in the night, whenever that  
16 scanner was -- was brought back to Douglas.

17 But now is that what you're referring to?

18 Q. No. And -- And sorry. I should be  
19 clear. We're talking about two different things. I  
20 know what you're talking about.

21 A. Uh-huh.

22 Q. Let me ask you a better question.

23 A. That's -- That's the only scanner that I  
24 know about.

25 Q. Okay. So we've seen in the video that

1       there were these individuals who came into the  
2       office. We know they copied voting equipment and  
3       data on January 7, 2021.

4               You with me?

5           A.     Yeah.

6           Q.     Okay. Had -- Has the Board heard before  
7       that as part of those efforts, someone brought in  
8       a -- a generic scanner --

9           A.     No, no.

10          Q.     -- not like a Dominion equipment, but a  
11       generic scanner?

12          A.     Not --

13               MR. DELK: Let him finish now.

14               THE WITNESS: Not that I'm aware of. Not  
15       that I recall. No. That there was -- That  
16       would have been on January 7th?

17          Q.     (By Mr. Cross) Yes. It would have been  
18       brought in on or around that day and used as part of  
19       the efforts in the office.

20          A.     No.

21          Q.     The Board has not heard that Cathy Latham  
22       borrowed a scanner from her church and brought it  
23       into the Elections Office?

24          A.     No.

25          Q.     Are you aware that the church where Cathy

1 Latham is a secretary, Matthew McCullough is also one  
2 of the officers of that church?

3 A. I'm not aware of that.

4 Q. All right. Grab Exhibits 16 and 17. They  
5 are --

6 A. Okay.

7 Q. -- the Ridlehoover and Hampton resignation  
8 letters.

9 A. Okay.

10 Q. If you want to just grab just one of them.

11 A. Okay.

12 Q. So let's take a look at Exhibit 17, Miss  
13 Hampton's.

14 And if you look at both, actually, you'll  
15 see that behind the letters there are several pages  
16 that looks like where somebody went through and  
17 actually calculated what the Board said was a -- an  
18 overpayment.

19 Do you see that, the data sitting behind  
20 those resignation letters?

21 A. I do.

22 Q. Who actually did the calculations for  
23 the -- what's identified as a difference in pay for  
24 both of those two individuals?

25 A. Mr. Vickers.

1 Q. Oh, that's Wesley Vickers?

2 A. Wesley Vickers.

3 Q. Okay. And so did -- did Wesley Vickers  
4 watch the camera footage himself and then calculate  
5 the difference in pay?

6 MR. DELK: Object to the form.

7 THE WITNESS: To my knowledge, he --  
8 that's the way he calculated it.

9 Q. (By Mr. Cross) Okay. And presumably  
10 that -- that took a lot of time. This is pretty  
11 extensive. Mr. Vickers, obviously, put in quite some  
12 effort to do that. Is that fair?

13 MR. DELK: Object to the form.

14 THE WITNESS: I would -- I would think  
15 that took quite some time to do.

16 Q. (By Mr. Cross) Okay. And do I understand  
17 right, the first the Board learned of a concern about  
18 Miss Hampton and Miss Ridlehoover's compensation was  
19 the day it decided to let her go on February 25th?

20 A. Yes.

21 Q. Okay. So do you have any insight as to  
22 why Mr. Vickers and no one else informed the Board  
23 before that day that this investigation was being  
24 undertaken?

25 A. I don't.

1 Q. Does the Board have any insight as to what  
2 prompted Mr. Vickers to undertake this investigation?

3 MR. DELK: Object to the form.

4 THE WITNESS: People would try to access  
5 the office. I'm talking about customers,  
6 voters; and it would not be -- It wouldn't --  
7 It wouldn't be open while the other County  
8 offices were open.

9 And so now a specific complaint, I can't  
10 identify; but that type of -- that type of  
11 thing.

12 Q. (By Mr. Cross) But you're not aware of a  
13 specific complaint that came in, in February of 2021  
14 about the office not being open when it was supposed  
15 to?

16 A. February -- What happened on February  
17 2021? I mean --

18 Q. Well, remember, she's let go on February  
19 20 --

20 A. That's the day she's let go.

21 Q. February 25th.

22 A. February 25th.

23 Q. And what I'm asking is you --

24 A. I'm not aware any specific complaints, but  
25 just an ongoing -- ongoing employment -- I mean,

1       it -- It's not like this is the reason she was let  
2       go in itself. This is what's cited here, but she  
3       demonstrated over time that -- I mean, she's got a  
4       personnel file, in other words.

5           Q.       There were other performance issues?

6           A.       Yes.

7           Q.       What were those?

8           A.       There was an issue where they turned in an  
9       amount of money to get reimbursed for and had altered  
10      the receipts in a way that you could tell they had  
11      been altered and so --

12          Q.       Who is they?

13          A.       Misty and Jil.

14          Q.       And when did that happen?

15          A.       That happened -- that must have been --

16                    I cannot recall the date on that. 2017  
17      year. 2017.

18          Q.       Okay.

19          A.       There was also an issue where she had to  
20      be --

21                   MR. CROSS: 57.

22                   THE WITNESS: She had to be reprimanded by  
23      the County management on acquiring rooms for  
24      trainings and for conferences for board members;  
25      and there -- I mean, there's just -- I don't

1           remember everything that was in her personnel  
2           file, but there'd been other issues before.

3           Q.       (By Mr. Cross)   Okay.   All right.   Let  
4           hand you --

5                     MR. CROSS:   Is it 23.

6                     MR. SPARKS:   23.

7           Q.       (By Mr. Cross)   You can set that aside.  
8           Thank you, Mr. Stone.

9                     (Exhibit 23 was marked for  
10           identification.)

11           Q.       (By Mr. Cross)   Let me hand you what's  
12           Exhibit 23.   And if you start at the second page,  
13           they're reverse order chronologically, so if you want  
14           to flip to the second page, Mr. Stone.

15           A.       (Witness complies with request of  
16           counsel.)

17           Q.       So you see here is an e-mail from Misty  
18           Hampton, March 31, 2021.   It says, "To:  
19           openrecordsrequest."

20           A.       Uh-huh.

21           Q.       That --   That openrecordsrequest, is that  
22           what you're saying earlier.   That's an e-mail  
23           distribution that the board members would receive?

24           A.       Okay.   Is this something that we would we  
25           would have received, or are you asking me is this in



1 the form of something we would receive?

2 Q. First, is it in the form of something you  
3 would have received?

4 A. Yeah. I mean, what we would receive would  
5 be the person's name who is requesting the specific  
6 time in question and whatever they're asking for,  
7 whatever the communications are so --

8 Q. But was there an e-mail distribution list  
9 called openrecordsrequest that -- that someone could  
10 e-mail that specific account, and then it would --  
11 that e-mail would get distributed to members of the  
12 Board?

13 A. Not that I'm aware of.

14 Q. Okay.

15 A. Not that -- No. I don't recall that.

16 Q. So as you sit here, when it says, "To:  
17 openrecordsrequests," you're not sure what that  
18 refers to?

19 A. I'm not.

20 Q. Okay.

21 A. This came from Tracie Vickers?

22 Q. This came from Misty.

23 Well, Tracie Vickers --

24 A. Provided this.

25 Q. Exactly.

1 A. Yeah.

2 Q. It came from her e-mail account.

3 A. Okay.

4 Q. And then Misty Hampton, you can see, sent  
5 it; and here the first thing she asked for is a  
6 digital copy of all video recordings of the Elections  
7 Office from October 1, 2020 until February 25th of  
8 2021.

9 Do you see that?

10 A. Uh-huh.

11 Q. Yes?

12 A. Yes.

13 Q. Okay. And then come to the next page.

14 So a few months later, July 15, 2021,  
15 Vicky -- Tracie Vickers e-mails Miss Hampton, if you  
16 look in the middle here, and says, "I have just  
17 received the downloaded media from Charles to  
18 complete your request."

19 Do you see that?

20 A. I do.

21 Q. And it goes on to indicate that she can  
22 come by and pick up the video that she's requested on  
23 a portable store drive. The cost is \$59.39.

24 Do you see that?

25 A. I do.

1           Q.     And then Miss Hampton writes back, "I will  
2     be by tomorrow with cash to pick it up. Thank you."

3                     Do you see that?

4           A.     Okay. Where is that?

5                     I do see that. Yes.

6           Q.     And are you -- Are you aware, testifying  
7     on behalf of the Board, that Miss Hampton did, in  
8     fact, pick up this video?

9                     MR. DELK: Object to the form.

10           THE WITNESS: I haven't been -- I do not  
11     recall that the Board knew that the video was  
12     picked or was not picked up.

13           Q.     (By Mr. Cross) Okay. So she asked for  
14     the video through February 25th of 2021. Tracie  
15     Vickers indicates the video she's requested is being  
16     provided.

17                     But the video we got from the County cuts  
18     off on February 19. Do you know why that is?

19           A.     I don't.

20           Q.     If you wanted to know why that is, who  
21     would you ask?

22           A.     I would ask -- I would ask Wesley.

23           Q.     Wesley Vickers?

24           A.     Wesley Vickers. Yes.

25           Q.     Okay. All right. You can set that aside.

1           A.       (Witness complies with request of  
2       counsel.)

3                   MR. CROSS:   Tab 58.

4                   (Exhibit 24 was marked for  
5       identification.)

6           Q.       (By Mr. Cross)   Let me hand you --

7                   MR. CROSS:   24?

8                   MR. SPARKS:   Uh-huh.

9           Q.       (By Mr. Cross)   -- Exhibit 24.

10                   It's kind of long.   Mr. Stone, you're  
11       welcome to flip through it; but I'm only going to ask  
12       you about a couple of specific parts.

13           A.       Uh-huh.

14           Q.       If you look at the top, you'll -- you'll  
15       see.   This is a -- a letter from Hall Booth Smith.

16           A.       Uh-huh.

17           Q.       And it's Jennifer Herzog at the top.   Do  
18       you see that?

19           A.       I do.

20           Q.       And, again, Hall Booth Smith is  
21       representing the Coffee County Board of Elections in  
22       this deposition, right?

23           A.       That's correct.

24           Q.       And that's where Tony Rowell is?

25           A.       That's correct.

1 Q. And, here, you see this is addressed to  
2 Marilyn Marks, Coalition for Good Governance?

3 A. I do.

4 Q. And if you look at the very first  
5 paragraph, you'll see that it's a response to -- it  
6 says, "... the consolidation of all outstanding Open  
7 Records Requests to Coffee County from you personally  
8 or on behalf of the Coalition for Good Governance..."

9 Do you see that?

10 A. I do.

11 Q. Now if you flip to the second page -- And  
12 so I should have pointed out. The date on this is  
13 April 12th of 2022.

14 A. Okay.

15 Q. So that's the time period where we are.

16 The second page, do you see where it says  
17 "Filed," and there's a date, March 4th, 2022?

18 A. I do.

19 Q. And then the request there is security  
20 video recordings for the period 8:00 a.m. November  
21 16, 2020 through 6:00 p.m. November 20, 2020 for the  
22 following areas: Elections Office, election  
23 equipment storage area, Elections Office parking lot.

24 It indicates how the video can be sent.

25 Do you see that?

1           A.       I do.

2           Q.       And then it states the response. No  
3 documents responsive to this request exist in the  
4 personnel file of Hampton or Ridlehoover. Because of  
5 storage capacity limitations, the security vistum  
6 (ph.) -- security video system overwrites  
7 automatically every 90 days if not archived or  
8 exported prior to that time period.

9                   Do you see that?

10          A.       Yes.

11          Q.       Do you know why the County stated in April  
12 of 2022 that the requested video did not exist, when  
13 we now know as of this week that it did exist?

14                   MR. DELK: Object to the form.

15                   THE WITNESS: I don't know the answer to  
16 that.

17          Q.       (By Mr. Cross) And if you wanted to know,  
18 who would you ask?

19          A.       I would begin by asking Wesley, Wesley  
20 Vickers. The --

21                   Now I recognize that name, Charles, as  
22 being the IT person for the County, who would have  
23 insight into it.

24                   But as a Board member and the Board, we  
25 don't have any -- we don't have any communication

1 with Charles about that. So my -- Our question on  
2 that would be to Wesley.

3 Q. Well, and what is Charles's last name?

4 A. And I wish you hadn't asked me, because I  
5 could have thought of it then. Charles --

6 MR. DELK: If you know, then tell him. If  
7 not, that's fine.

8 THE WITNESS: I cannot recall Charles's  
9 last name.

10 Q. (By Mr. Cross) That's okay. That's okay.

11 And do you see at the bottom of the same  
12 page, there's also a request in March of 2022 for  
13 Elections Office visitor logs?

14 A. Yes.

15 Q. And are you aware that we have made, as  
16 Plaintiffs in this, requests in discovery, similar  
17 requests for visitor logs?

18 Had you heard that before?

19 A. That you've asked for them?

20 Q. Yes.

21 A. I have heard that before.

22 Q. Do you know why there are no visitor logs  
23 for January of 2021 and February of 2021?

24 A. I don't know.

25 Q. Are you aware that those are supposed to

1 be preserved by the County?

2 A. Yes.

3 Q. If you wanted to know where those are and  
4 whether they still exist, who would you ask?

5 A. Again, this was January of 2021 and  
6 February of 2021.

7 Q. Yes, sir.

8 A. Okay. That's -- Is that the time when  
9 Misty was dismissed?

10 Q. Yes.

11 A. Right through that time. I have to begin  
12 with questioning Misty on where those logs are and --

13 Q. Is there any practice or policy in -- in  
14 the County that visitor logs for the Elections Office  
15 are supposed to be stored or maintained in some  
16 particular way or location?

17 A. Well, the -- the policies are all in  
18 place; and being able to state the policies to you,  
19 I'm not going to be able to do that.

20 Q. Uh-huh.

21 A. But, again, that's under the direction of  
22 the person that we hired to carry out the job; and it  
23 is their responsibility to maintain all of that  
24 documentation, as required.

25 Q. Yeah. Well --



1 Oh, yeah. Sorry. Look back at this.

2 Actually, I misread this.

3 So if you look at, again, the file, March  
4 4th, 2022 --

5 A. Uh-huh.

6 Q. -- we're looking at this request for video  
7 recordings.

8 A. Uh-huh.

9 Q. I accidentally read the wrong response.  
10 The response actually states -- Do you see here in  
11 the brackets? It says --

12 A. "Partially closed"?

13 Q. Yeah. Partially closed, as Coffee County  
14 stated that no video exists because of overwriting.

15 Do you see that?

16 A. I do.

17 MR. CROSS: Okay. All right. 13.

18 Q. (By Mr. Cross) You can put that aside.

19 A. (Witness complies with request of  
20 counsel.)

21 MR. CROSS: 25.

22 (Exhibit 25 was marked for  
23 identification.)

24 Q. (By Mr. Cross) All right. Let me hand  
25 you what's been marked as Exhibit 25.

1                   So Exhibit 25 is an e-mail thread that was  
2                   produced to us by Paul Maggio of the  
3                   SullivanStrickler firm, which is the firm that did  
4                   the -- the copying of the election equipment on  
5                   January 7th of 2021.

6                   Have you seen this e-mail thread before?

7                   A.       I have not.

8                   Q.       And, sir, I can't remember if I asked you  
9                   before.

10                  Were -- Were you aware before today that  
11                  Sidney Powell associated with the Trump action  
12                  retained SullivanStrickler in Atlanta to come in and  
13                  copy the election equipment and voting data in Coffee  
14                  County in January of 2021?

15                  A.       We're -- We're not aware of that. The  
16                  Board is not aware of that.

17                  Q.       Is that something you've seen at least in  
18                  the press, or you just weren't aware at all --

19                  A.       I'm not aware --

20                  Q.       -- before today?

21                  A.       -- of -- of the names connected to the  
22                  activities you mentioned.

23                  Q.       But you've heard of Sidney Powell?

24                  A.       I've heard that name, and it would have  
25                  strictly been through the media.

1           Q.     So you -- Do you know whether anyone on  
2     the Board has ever met with Sidney Powell?

3           A.     I don't.

4           Q.     Do you know whether Eric Chaney has ever  
5     had any meetings or communications with --

6           A.     I don't.

7           Q.     And with Sidney Powell?

8           A.     I don't.

9                     (Exhibit 26 was marked for  
10     identification.)

11          Q.     (By Mr. Cross) All right. Let me hand  
12     you what -- you can set that aside -- Exhibit 26.

13                     Exhibit 26 is the engagement agreement for  
14     forensic analysis that was produced to us by Tom  
15     Maggio between his firm and Jesse Binnall.

16                     Tell me if you've seen this before.

17          A.     I have not.

18          Q.     Okay. Are you familiar with Jesse  
19     Binnall?

20          A.     No.

21          Q.     Have you at least heard his name in the  
22     press, that he represents Donald Trump?

23          A.     I don't recall hearing his name.

24          Q.     Okay. If you look at -- Flip to the  
25     third page of the document at the top. It says,

1 "Exhibit 1, Overview."

2 Flip back.

3 One more back.

4 Now one more back.

5 Yeah.

6 Do you see here "Requirements"?

7 It says the following were defined during  
8 phone call, face-to-face meetings and/or e-mail  
9 interactions between customer and SS --  
10 SullivanStrickler -- representatives as requirements  
11 to be satisfied through the performance of Services  
12 by SullivanStrickler?

13 Do you see that?

14 A. I do.

15 Q. And then it goes on to explain customer is  
16 requesting that SullivanStrickler provide services  
17 such as computer forensic collections and analytics  
18 on the Dominion Voting Systems equipment; from the  
19 poll pads, in parentheses, iPads, to the Windows  
20 machines that run the scanners, to Linux machines  
21 that tabulate the votes in the State of Nevada and  
22 subsequent work in the State of Georgia.

23 Do you see that?

24 A. I do.

25 Q. So what information, if any, does the

1 Board have on the engagement by one of Donald Trump's  
2 lawyers of SullivanStrickler to do the -- the  
3 forensic work that's described here in the state of  
4 Georgia?

5 A. The Board has no knowledge of this.

6 Q. Are you familiar with someone by the name  
7 of Benjamin Cotton?

8 A. Only from the subpoenas.

9 Q. Okay.

10 A. His name was mentioned, several of the  
11 subpoenas.

12 Q. Are you aware that Benjamin Cotton has  
13 testified under oath in a proceeding in Arizona that  
14 he has forensically examined Dominion software and  
15 voting data that was taken from Coffee County?

16 A. I'm not aware of that.

17 MR. CROSS: 34.

18 (Exhibit 27 was marked for  
19 identification.)

20 Q. (By Mr. Cross) All right. Let me show  
21 you --

22 MR. CROSS: 26?

23 MR. SPARKS: 27.

24 Q. (By Mr. Cross) -- Exhibit 27.

25 So Exhibit 27, Mr. Stone, is a -- a

1 listing of folders and files that were on a hard  
2 drive produced to us by Paul Maggio of the  
3 SullivanStrickler firm in response to a subpoena.

4 Have you seen this before?

5 A. I have not.

6 Q. If you look just at the -- the first page,  
7 you see at the top? It says, "SSA1792 HARD DRIVE  
8 CONTENTS."

9 A. Yes.

10 Q. And then below, "Name."

11 And there's folders. The first is  
12 "Compact-Flash."

13 Do you see that?

14 A. I do.

15 Q. Do you understand that indicates, like the  
16 photos I showed you before, that the  
17 SullivanStrickler team came in and forensically  
18 copied compact flash drives in the office in January  
19 of 2021?

20 MR. DELK: Object to the form.

21 Q. (By Mr. Cross) Or you just -- You just  
22 don't know one way or the other?

23 A. What are you asking me?

24 Q. I'm asking you if you understand that; and  
25 if you don't, that's fine. You can say you don't

1 know.

2 A. Okay. I don't know under -- I don't  
3 understand what that's really referencing --

4 Q. Okay.

5 A. -- to tell you the truth.

6 Q. So if you look at all the folder names,  
7 it's Compact-Flash, Dominion-Supplied-Laptop, EMS  
8 Server, miscellaneous thumb drives, Polling-Pads,  
9 Reports, Tabulation System.

10 A. Uh-huh.

11 Q. Do you that?

12 A. I do.

13 Q. And what concerns does the Board have  
14 about the fact that SullivanStrickler, according to  
15 the hard drive that's been produced, copied about a  
16 half a terabyte of data across virtually all of the  
17 electronic equipment in the Coffee County Elections  
18 Office in January of 2021?

19 A. Well --

20 MR. DELK: Object to the form.

21 THE WITNESS: -- I'm sure that the Board  
22 would be concerned about this, but the Board has  
23 no knowledge of this, and so it's hard for me to  
24 say what concerns the Board would have. I --

25 Q. (By Mr. Cross) This is the first

1       you're -- you're learning of this?

2           A.       This is the first I'm learning of this.

3       Yes.

4           Q.       And to your knowledge, no one else on the  
5       Board was aware of this except for Eric Chaney?

6           A.       To my knowledge, that's correct.

7           Q.       Eric Chaney would be the only exception,  
8       since he was there?

9           A.       And --

10          MR. DELK:   Object to the form.

11          THE WITNESS:   And I don't know the answer  
12       to that.   To tell you the truth, I don't know  
13       the answer to that.

14          Q.       (By Mr. Cross)   Fair enough.   Thank you.

15          MR. CROSS:   All right.   35.

16               (Exhibit 28 was marked for  
17       identification.)

18          Q.       (By Mr. Cross)   All right.   Let me hand  
19       you what's been marked as Exhibit 28, and you can --

20               You're welcome to flip up through this.   I  
21       don't have a lot of questions on it.

22               Mr. Stone, this is another document  
23       produced by Paul Maggio and the SullivanStrickler  
24       firm that was explained to us.   It indicates  
25       individuals who were given access to the Coffee



1 County software and data that was put up online after  
2 it was taken from the Coffee County office.

3 Have you seen this document before?

4 A. I have not.

5 Q. And you see it goes on for several pages,  
6 about ten pages, with a list of names and e-mail  
7 addresses.

8 Do you see that?

9 A. I do.

10 Q. And just flip to the page that ends in  
11 131. See these little numbers in the bottom  
12 right-hand corner.

13 A. (Witness complies with request of  
14 counsel.)

15 Q. And just to give you some examples, if you  
16 come down, look in the middle. See the third column?  
17 Come down about ten names. You'll see where it says  
18 Doug.

19 A. I do.

20 Q. And then it says, "Doug Logan."

21 You --

22 A. I do.

23 Q. -- see that?

24 A. Yes.

25 Q. Then there's an e-mail address,

1       doug@fightbacklaw -- fightback.law.

2                   Do you see that?

3           A.     I do.

4           Q.     And so had you learned at any point --  
5       Had the Board learned that Doug Logan, for example,  
6       had access to the Dominion software and voting data  
7       taken from Coffee County, that he had access to that  
8       online?

9           A.     The Board wasn't -- unaware of that.

10          Q.     Is that true for the other names on this  
11       list, like Jim Penrose, for example?

12          A.     I'm going to say that's true for all the  
13       names. The Board had -- I --

14                   To my knowledge, the Board has not seen  
15       this.

16          Q.     Okay.

17                   MR. CROSS: All right. 36.

18                   THE WITNESS: And this was not discussed  
19       with the Board.

20                   MR. CROSS: All right. 29?

21                   MR. SPARKS: 29.

22                   (Exhibit 29 was marked for  
23       identification.)

24          Q.     (By Mr. Cross) All right. Let me hand  
25       you what's been marked as Exhibit 29.

1 All right. So what we just looked at,  
2 like I said, Mr. Stone, was a document from Paul  
3 Maggio's firm indicating who had access to the data  
4 online.

5 This, we are told, is a log of who -- who  
6 downloaded the data from the online. So if you look  
7 at this, see where it says "Activity," second column?

8 A. Yes.

9 Q. And it says "Download."

10 Do you see that?

11 A. I do.

12 Q. And then there's a user name. On the  
13 first page, it's "Conan H."

14 Do you see that?

15 A. I do.

16 Q. And then it's got an e-mail address  
17 associated with that person, their company name,  
18 their IP address, and their location.

19 Do you see that?

20 A. Yes.

21 Q. And then if you look over to the left,  
22 "ItemName," it indicates what they're downloading  
23 with a date and time.

24 Do you see that?

25 A. I do.

1           Q.     Do you see that this document goes on  
2     for -- so from 137 to 161, so for 20 -- about 24 or  
3     25 pages.

4                     Do you see that?

5           A.     Uh-huh.   Yes.

6           Q.     And was the Coffee County Board of  
7     Elections aware that the soft -- the Dominion  
8     software and data taken from its elections equipment  
9     had been downloaded by numerous people on the  
10    Internet after that intrusion occurred?

11          A.     The Board is not aware of that.

12          Q.     What -- Well, strike that.

13                    So is it fair to say that since no one had  
14    alerted the Coffee County Election Board that half a  
15    terabyte of Dominion software and voting data had  
16    been taken and uploaded to the Internet a year and a  
17    half ago and downloaded by numerous people, is it  
18    fair to say the County itself has not taken any  
19    measures to mitigate whatever risk this presents for  
20    the voting system?

21                   MR. DELK:   Object to the form.

22                   THE WITNESS:   Well, I mean, much of this  
23    information, I'm hearing for the first time.

24                   The Board has not heard this information  
25    that you're -- you're showing me right now; and

1 in all honesty, I don't know what the County  
2 knows about it.

3 And, of course, there are policies and  
4 procedures in place to prevent things from  
5 happening; but it's going to go back to what I  
6 originally said. Any access that was granted,  
7 was granted by the computer operator, the  
8 elections supervisor, the person that had the  
9 training and the person that we hired to do the  
10 job and keep the keys to the door.

11 Q. (By Mr. Cross) And -- And, Mr. Stone, I  
12 apologize. I have -- I have to push back on a  
13 little bit only because --

14 A. Uh-huh.

15 Q. -- we do know that a member of the  
16 Board --

17 A. Uh-huh.

18 Q. -- who was currently on the Board at the  
19 time --

20 A. Uh-huh.

21 Q. -- was there. Eric Chaney was there, too,  
22 for these events, right?

23 A. Okay.

24 Q. It wasn't just Miss Hampton.

25 A. I agree with that.

1                   However, he, even he does not have access  
2                   to any -- I mean, to my knowledge, he does not have  
3                   a computer. He does not have training. He does not  
4                   have a key to the front door. He does not have --  
5                   now that's --

6                   And -- And I -- I understand what you're  
7                   saying, what you're telling me.

8                   But it's kind of go back to Misty. The  
9                   role of additional bad actors in this, I do not know.

10                  Q.       Well, I -- I understand your point. And  
11                  Misty Hampton has the keys to the office, so she's  
12                  the one who has to physically unlock the office,  
13                  right?

14                  A.       Yes.

15                  Q.       Okay.

16                  A.       Well, I mean, Jil may have had a key as  
17                  well.

18                  Q.       Right.

19                  A.       But -- But board members don't have keys.

20                  Q.       But what we know is that beyond just  
21                  either Miss Hampton or Miss Riddlehoover physically  
22                  unlocking the doors, we do know that Eric Chaney was  
23                  there; and we know from the video, that Cathy Latham  
24                  literally escorted the forensic team into the  
25                  building, along with others who came later --

1 A. Uh-huh.

2 Q. -- right?

3 We do know that, right?

4 A. Well, I mean, we can look at the  
5 photographs.

6 Q. And the video?

7 A. Yeah.

8 Q. All right.

9 A. I agree with that.

10 Q. Yeah. And so would -- Is it fair to say  
11 that because the County has not received information  
12 like we've looked at here from Paul Maggio, for  
13 example, about the intrusion, that the County is  
14 relying on the State to figure out how to deal with  
15 whatever risk this presents for the voting system?

16 A. I --

17 MR. MILLER: Object to the form.

18 THE WITNESS: I don't -- I would have no  
19 idea of knowing what the County is waiting for.  
20 If you're asking me about an investigation from  
21 the County standpoint, I don't know what  
22 information they would need to be able to launch  
23 an investigation.

24 Q. (By Mr. Cross) You made the good point  
25 earlier that -- that if someone wanted to, you know,

1       manipulate votes or election outcomes, they need to  
2       understand how the system works.

3               Do you remember saying that?

4           A.       That's my understanding.   Yes.

5           Q.       Okay.   And is it a concern to the Board  
6       that the Dominion software -- half a terabyte of  
7       Dominion software and voting data was uploaded to the  
8       Internet and downloaded by numerous individuals over  
9       a period of months, many months going back a year and  
10      a half?

11           MR. DELK:   Object to the form.

12          Q.       (By Mr. Cross)   Is that a concern?

13          A.       And only -- and it's not -- I'm not trying  
14      to be -- I'm not trying to be evasive about that at  
15      all, but I'm going to go back to what I said while  
16      ago.

17               The Board is unaware of this.   And would  
18      it be a point of concern if we brought this  
19      information to the Board?   I would say yes.   It would  
20      be a point of concern.

21          Q.       And -- And you made the point that  
22      only -- only certain people, like Miss Hampton, Miss  
23      Ridlehoover in 2021, even have keys to the Elections  
24      Office, right?

25          A.       That's my understanding.   Yes.



1 Well, I mean, I don't know who else in  
2 County management, for instance, County manager or  
3 maintenance people. I don't know who else has a key.

4 Q. Do you know if Wesley Vickers has a key to  
5 the office?

6 A. I don't know.

7 Q. All right. But the -- the keys are  
8 limited to that office, and the -- the reason for  
9 that is because as part of trying to secure the  
10 voting system, you want to limit who can get access  
11 to that equipment, right?

12 A. Yes.

13 Q. And that's important?

14 A. It is.

15 MR. CROSS: All right. Seven. Tab 7.

16 Q. (By Mr. Cross) I'm almost done, Mr.  
17 Stone.

18 A. All right.

19 Q. I very much appreciate your patience.

20 A. Yes.

21 Q. All right. Let me hand you --

22 MR. CROSS: 30?

23 MR. SPARKS: Uh-huh.

24 Q. (By Mr. Cross) -- what's going to be  
25 marked as Exhibit 30.

1 (Exhibit 30 was marked for  
2 identification.)

3 Q. (By Mr. Cross) All right. Do you  
4 recognize Exhibit 30? Is this something you've seen  
5 before?

6 A. I don't recall seeing this.

7 Q. All right. Are you familiar with the  
8 federal agency that sits inside of DHS called CISA,  
9 C-I-S-A?

10 A. C-I-S-A, what does that stand for?

11 Q. I always get that question. I always  
12 screw it up.

13 A. Yeah.

14 Q. Cyber security infrastructure --

15 A. I read it in -- I think it was mentioned  
16 in the subpoenas.

17 Q. Okay.

18 A. I recall that.

19 Q. Did -- Well, let me ask you this.

20 Are you aware that there is a -- there is  
21 a federal agency that has some responsibility for  
22 election security in the country?

23 Is that something you've learned as part  
24 of being on the Board?

25 A. Yes.

1           Q.     Okay. So were you aware that in June of  
2           2022, that agency, typically referred to as CISA,  
3           issued this advisory to all jurisdictions in the  
4           country using the Dominion Voting Systems that are  
5           addressed in the advisory?

6                     Had you heard that before now?

7           A.     No.

8           Q.     All right. If you look at the summary, it  
9           explains here that, "This advisory identifies  
10          vulnerabilities affecting versions of the Dominion  
11          Voting Systems Democracy Suite ImageCast X, which is  
12          an in-person voting system used to allow voters to  
13          mark their ballot."

14                    Do you see that?

15          A.     I do.

16          Q.     And you understand that's referring to the  
17          same BMD system used in Georgia?

18          A.     Okay.

19          Q.     Were you aware that this advisory -- It  
20          says that it sent this same advisory to the Secretary  
21          of State's Office in Georgia?

22          A.     I'm not aware of that.

23          Q.     So this is not something that the Board  
24          has received any information about, has it?

25          A.     I don't recall that the Board got this.

1           Q.     And if you come down to the next paragraph  
2     under summary, do you see it says, "Exploitation of  
3     these vulnerabilities would require physical access  
4     to individual ImageCast X devices, access to the  
5     Election Management System..., or the ability to  
6     modify files before they are uploaded to ImageCast X  
7     devices."

8                     Do you see that?

9           A.     I do.

10          Q.     Given we now know that a -- a number of  
11     individuals had access to the election management  
12     system in Coffee County physically on -- in January  
13     of 2021 and then over the Internet for some period of  
14     months, does this raise any concerns for you about  
15     these vulnerabilities and continuing use of the  
16     system, you, as the Board?

17          A.     Okay. You're asking me about -- about  
18     things other than the -- the training and the  
19     information that I've had, so based on what I know  
20     about the system and the little bit of training that  
21     I've had the -- the system is secure. It is  
22     accurate.

23                     But I mean, you're telling me about these  
24     things right here, except I don't know the extent to  
25     which they can be utilized; and so it's difficult for

1 me to answer that question.

2 Q. All right. And so when you say your  
3 understanding is the system is secure and reliable,  
4 you don't have any insight into what CISA found here  
5 and what the implications are of -- of the -- the  
6 intrusion we saw?

7 A. I don't.

8 Q. Okay. 'Cause that's not something that  
9 the Secretary of State's Office has been in touch  
10 with the Board about?

11 A. No.

12 Q. No one has been in touch with the Board  
13 about the vulnerabilities identified here, right?

14 A. To my knowledge, no.

15 Q. And no one has been in touch with the  
16 Board about what the access to the EMS and the other  
17 election equipment in January of 2021, what that  
18 means for the reliability of the system, right?

19 A. No.

20 Q. All right. Turn to third page. You'll  
21 see there's a heading, "3. Mitigations."

22 And here it reads, "CISA recommends  
23 election officials continue to take and further  
24 enhance defensive measures to reduce the risk of  
25 exploitation of these vulnerabilities. Specifically,

1       for each election, election officials should:"

2               And then there's a list of about a dozen  
3       bullets that go to the top of the next page.

4               Do you see all that?

5           A.     I do.

6           Q.     To what extent has Coffee County or the  
7       State of Georgia through its own actions in Coffee  
8       County implemented any of the -- the mitigation  
9       measures listed here?

10          A.     Okay. Like I said --

11               MR. MILLER: Objection to form.

12               THE WITNESS: -- what were -- what were  
13       some of the mitigation measures?

14               Let's see. Firmware. Software updates  
15       need to be applied. Physically protected.  
16       Chain of custody procedures.

17               I can't answer that question. I don't  
18       know.

19          Q.     (By Mr. Cross) If you wanted to know, who  
20       would you ask?

21          A.     Secretary of State's Office.

22          Q.     And who specifically would you reach out  
23       to?

24          A.     It'd probably begin with our liaison, and  
25       I cannot recall that person's name.

1           Again, that -- that's somebody that our  
2           elections person has access to. We don't communicate  
3           individually with that person.

4           And, listen, you're asking me very  
5           involved and deep questions about all of this. You  
6           understand I attend a Board meeting once a month for  
7           one hour, and I'm there to make sure that the funding  
8           for a new table is available or that voters are not  
9           unhappy about the setup of the elections area.

10          These -- These are very involved concepts  
11          that you're -- you're bringing to me; and while  
12          absolutely the first -- furthest thing in the world  
13          from my mind is that I want to be uncooperative or  
14          evasive. I don't want to be that. I want to be  
15          helpful. I don't know the answer to much of what  
16          you're asking me about.

17          Q.     Do you understand the Secretary of State's  
18          Office has taken the position that the counties  
19          themselves are responsible for securing the voting  
20          system?

21          A.     Well, I understand that.

22          Q.     Okay. So who in Coffee County is  
23          responsible for implementing the mitigation measures  
24          identified in the CISA advisory or otherwise ensuring  
25          that the vulnerabilities identified there are not

1 exploited? Who has that responsibility?

2 MR. DELK: Object to the form.

3 THE WITNESS: We would have to -- We  
4 would have to work with the County management,  
5 but the Board of Elections would be responsible  
6 for that.

7 Q. (By Mr. Cross) Okay. And does the Board  
8 of Elections look to the Secretary of State's Office  
9 to provide guidance and resources for the type of  
10 mitigation measures that are here?

11 A. Well, I would say that we would. We  
12 haven't, but we would.

13 Q. Okay. And -- And, in fact, as I  
14 understood before I handed you this document, you  
15 weren't even aware of this document or the  
16 mitigations?

17 A. I don't -- I don't recall seeing this  
18 document at all.

19 Q. Okay. I think we covered this before.  
20 But the -- the Board has only two --  
21 Well, strike that.

22 The County has only two employees that are  
23 responsible for elections in the County -- the  
24 elections supervisor and the assistant, right?

25 A. That's correct.



1           Q.     And fair to say it is not a job  
2 requirement that those people have cybersecurity  
3 expertise?

4           A.     It's not a job --

5                     MR. DELK:   Object to form.

6                     THE WITNESS:  -- requirement.

7           Q.     (By Mr. Cross)   So also fair to say that  
8 for the type of understanding and mitigating the type  
9 of serious cybersecurity vulnerabilities as  
10 identified, that's not something the County would  
11 even have the personnel to -- to understand and  
12 implement; is that fair?

13                    MR. DELK:   Object to the form.

14                    THE WITNESS:  I don't know.   I don't know.  
15           You're asking me about the skills of people who  
16 work in the County.   It takes a very involved  
17 and deep level of knowledge to be able to -- to  
18 do this, and so you're asking me if they have a  
19 person that can do that.

20                    Charles is the IT administrator; and so  
21 he's not on site; but he is available, should we  
22 need him.

23           Q.     (By Mr. Cross)   But Charles has not  
24 undertaken any of the mitigation measures here, to  
25 your knowledge?

1           A.     Not to my knowledge.

2           Q.     And would you expect the Board --

3           A.     And he would have to answer that question,  
4     because I don't know the answer to that.

5           Q.     Okay. What steps, if any, has Coffee  
6     County taken to avoid another breach like we've seen  
7     in January of 2021, if any steps?

8           A.     The -- It's understood that the elections  
9     equipment is off limits to anyone. Okay. And so the  
10    policies are in place. The doors are locked. We  
11    take any step that we can.

12                Now as far as what's been done with the  
13    technology, I can't answer the question. I don't  
14    know the answer to that. I can only answer the  
15    topical -- the -- I hate to say the easy things --

16           Q.     Uh-huh.

17           A.     -- that we could do to -- to make our  
18    election supervisor aware of the requirement of -- of  
19    security.

20           Q.     Is there anything that the County is doing  
21    that's new, that's different from what it was --  
22    already had in place as a policy in January of 2021  
23    that's in response to the intrusion that we've seen  
24    in that time?

25           A.     I'm not aware of anything that's new.

1           Q.     All right.  And --  And no guidance or  
2     direction from the Secretary of State's Office on  
3     something more different you should be doing in light  
4     of that?

5           A.     Not that I'm aware of.

6           MR. CROSS:  Okay.  All right.  Let's take  
7     a break.

8           THE VIDEOGRAPHER:  The --  The time is  
9     2:02 p.m.  We are off video record.

10          (Recess from 2:02 p.m. to 2:13 p.m.)

11          THE VIDEOGRAPHER:  The time is 2:14 p.m.  
12     We are back on video record.

13          MR. CROSS:  Mr. Stone, I do not have any  
14     further questions for you; and I very much  
15     appreciate your time and particularly your  
16     willingness to do this in Atlanta.

17          THE WITNESS:  Thank you.

18          MR. CROSS:  A couple things just for the  
19     record.  We have withdrawn Exhibit 19 in light  
20     of the concern raised by Mr. Delk.

21                 We can deal with this separately, Steve;  
22     but I did just want to put on the record that we  
23     do have some concerns about the thoroughness of  
24     his knowledge as a corporate rep with respect to  
25     particular things, particularly, the fact that

1 Mr. Chaney was on the Board until August 12th;  
2 and we have not seen any production from him.

3 And then the video looks like it should  
4 have gone at least through February 25th based  
5 on the e-mails, and so we'd ask you to take  
6 another look at that.

7 So we'll just reserve.

8 And thank you, sir.

9 THE VIDEOGRAPHER: Bruce, it's all you.

10 CROSS-EXAMINATION

11 BY MR. BROWN:

12 Q. Hello, I'm Bruce Brown. I represent the  
13 Coalition Plaintiffs.

14 Mr. Stone, can you hear me okay?

15 A. I can.

16 Q. Okay. Thank you for appearing today.

17 I just have a few questions. They may  
18 overlap a little bit with Mr. Cross's, but  
19 they'll be -- I promise.

20 You testified that you were aware that the  
21 Secretary of State had taken Coffee County's EMS  
22 server in approximately June in 2021.

23 Do you recall that?

24 A. Yes.

25 Q. Did the -- Did the Secretary of State ask

1 the Board, to your knowledge, anybody associated with  
2 Coffee County Elections permission to do that?

3 A. I do not recall that they asked permission  
4 to do that.

5 Q. And I believe your testimony was that they  
6 didn't leave a copy of -- of any of the election  
7 records that they took; is that right?

8 A. Okay. I don't work in the Elections  
9 Office in that capacity, so I don't -- I'm not aware  
10 of what may have been left.

11 You'd have to ask the person who was the  
12 elections supervisor at that time, James Barnes.

13 Q. Are you aware that -- that Coffee County  
14 does not have a copy of those election records for  
15 the 2020 election?

16 A. I'm -- I'm not aware of that.

17 Q. But you are -- Are you aware that Coffee  
18 County is supposed to have a copy of the election  
19 records, because they're public records?

20 A. It seems logical.

21 Q. Okay. Do you know if Coffee County has  
22 made any efforts to get a copy or the originals back  
23 from Secretary of State so that it would have a copy  
24 like it's supposed to?

25 A. I'm not aware that we tried to get a copy;

1 but, again, that would fall under the responsibility  
2 of the elections supervisor, who is now a different  
3 person.

4 Q. All right. Let me change topics a little  
5 bit.

6 Were you aware that in January of 2021,  
7 that somebody put on the Internet a link to the cast  
8 vote records of Coffee County? Did you know that?

9 A. I'm not aware of that.

10 Q. And did you know that the Secretary of  
11 State was informed at least by July of this year that  
12 that was the case?

13 A. No. I'm not aware of that.

14 Q. Do you know if the Secretary of State  
15 never told you or, to your knowledge, told anybody  
16 associated with Coffee County that Coffee County's  
17 cast vote records had been posted to the Internet?

18 A. I'm not aware that that was ever provided  
19 to the Board.

20 Q. Right. And that the issue with that is  
21 that cast vote records may be public, but the way  
22 that they are created indicated that they came from a  
23 version or a copy of Coffee County's EMS server.

24 Are you aware of that?

25 MR. MILLER: Objection to form.

1 THE WITNESS: Not aware of that.

2 Q. (By Mr. Brown) Now the -- I think you  
3 testified about certain lawsuits that -- the -- The  
4 Board gets sued from time to time. Is that fair to  
5 say?

6 A. There are ongoing problems.

7 Q. And just, typically, if -- if the Board  
8 gets sued, you would find out about it, right?

9 A. We would -- We would be aware of it as a  
10 Board. Yes.

11 Q. And it would probably come into the County  
12 attorney and then maybe to the Board chairman; is  
13 that right?

14 A. That's correct.

15 Q. And in December of 2020, the -- who was  
16 the chairman of -- Who would have gotten it in  
17 December of 2020. The -- the --

18 A. In December of 2020 --

19 Q. The attorney?

20 A. The attorney would get any -- any lawsuit,  
21 and then the information would be provided to us as a  
22 Board.

23 MR. BROWN: All right. Can we -- can  
24 you -- Johnny, can you pull up the Stills  
25 lawsuit.

1 MR. CROSS: What exhibit?

2 MR. SPARKS: 31.

3 THE VIDEOGRAPHER: Exhibit 31, sir.

4 (Plaintiff's Exhibit 31 was marked for  
5 identification.)

6 Q. (By Mr. Brown) Handed to you has been  
7 Exhibit 31, which for the record is what we call the  
8 Still's lawsuit.

9 And have you seen that lawsuit before?

10 A. I don't recall seeing this lawsuit.

11 Q. Do you see that up in the right-hand  
12 corner, it was filed in the Fulton County Superior  
13 Court December 17, 2020? Do you see that?

14 A. I do.

15 Q. And you see it's brought by Shawn Still as  
16 the petitioner and then Brad Raffensperger is  
17 defendant, along with the Coffee County Board of  
18 Elections?

19 Do you see that?

20 A. I do.

21 Q. And then you're also named in your  
22 official capacity as vice-chairman on the Board.

23 Do you see that?

24 A. I do.

25 Q. And -- And do you know why the typical



1 process for these lawsuits being provided to the  
2 Board was not followed with respect to the Still  
3 lawsuit?

4 MR. DELK: Object to the form.

5 THE WITNESS: I don't -- I don't know why  
6 that would have happened; and I mean, in all  
7 honesty, this may have been provided to us.

8 Q. (By Mr. Cross) You just don't remember?

9 A. I don't remember.

10 Q. Okay. And --

11 A. It seems I would remember a document with  
12 a hundred pages in it, but I just -- I -- I don't  
13 remember.

14 Q. Also, one that names you personally,  
15 right?

16 A. That's correct.

17 Q. And you've been asked some questions about  
18 a Mr. Robert Sinners, I believe, in -- in the  
19 lawsuit. You don't know him; is that right?

20 A. I don't.

21 Q. And I think I know the answer to these  
22 questions, but I need just to ask them for the  
23 record.

24 Are you aware of any meeting in Douglas in  
25 December between Mr. Sinners and other people

1 associated with Coffee County to collect evidence to  
2 file this lawsuit?

3 Are you familiar with that?

4 A. I am not.

5 Q. All right. Did you know if or whether he  
6 was meeting with Mr. Chaney or Robert Preston or  
7 Cathy Latham or any of the others to come up with  
8 evidence to file this lawsuit?

9 A. I am not aware of that.

10 Q. If you would, turn in your Exhibit 31 to  
11 Page 32 of that PDF. It's going to be, you know,  
12 halfway down.

13 Oh, yours isn't a PDF. Yours is the real  
14 thing. Mine is a PDF. So if you go down about  
15 halfway through --

16 A. Page 32.

17 MR. CROSS: Are you looking for Exhibit 8,  
18 Bruce --

19 MR. BROWN: Eight.

20 MR. CROSS: -- the -- Was it a Hope  
21 Taylor declaration?

22 MR. BROWN: Yeah.

23 THE WITNESS: Exhibit 1?

24 MR. CROSS: So just flip until you get to  
25 Exhibit 8.

1 THE WITNESS: Exhibit 8.

2 Okay.

3 MR. CROSS: Now flip one more page.

4 Okay. He's got the declaration.

5 Q. (By Mr. Brown) Okay. Are you at  
6 Exhibit -- Are you at Exhibit 8 now?

7 A. Yes.

8 Q. Flip over a couple. You'll see that  
9 Alyssa Taylor signed that; is that right?

10 A. Yes.

11 Q. And it's notarized by Robert Sinners.  
12 Do you see that?

13 A. I do.

14 Q. Then if you go up to Exhibit 2, if you  
15 would.

16 MR. CROSS: It's back.

17 THE WITNESS: Exhibit 2.

18 Okay.

19 Q. (By Mr. Brown) Do -- Do you recognize  
20 the document after the exhibit number, the table?

21 THE WITNESS: Okay. Is this what he's  
22 talking about?

23 MR. CROSS: The Hand Recount Recap?

24 MR. BROWN: Correct.

25 MR. CROSS: He's asking if you recognize

1 this.

2 Q. (By Mr. Brown) Do you know what that is?

3 A. This, the Hand Recount Recap.

4 Q. Do you know where -- where the plaintiffs  
5 in that case would have gotten that recap from?

6 MR. DELK: Object to the form.

7 THE WITNESS: I --

8 Q. (By Mr. Brown) If you --

9 A. I don't know.

10 Is this not a matter of public record?

11 Q. I'm not sure.

12 MR. DELK: Just answer the question, if  
13 you know it.

14 THE WITNESS: I don't know.

15 Q. (By Mr. Brown) You -- You may have been  
16 asked some these, and I'll just try to sum up quick  
17 on that.

18 Are you aware of any investigation of  
19 Coffee County by the Secretary of State, the SEB, or  
20 the GBI into the breach in January 2021 of Coffee  
21 County's election system?

22 A. I'm not aware.

23 Q. Have you been contacted by the F -- by the  
24 GBI?

25 A. I have not.

1 MR. DELK: Object to the form to extent he  
2 may not know about communications with counsel.

3 But subject to that he's welcome to  
4 respond.

5 Q. (By Mr. Brown) Do you know if your lawyer  
6 was contacted by the GB --

7 A. Contacted by who?

8 Q. GBI.

9 A. I don't know if my lawyer was contacted by  
10 GBI.

11 Q. Do you know -- Do you know of anybody  
12 being contacted by the GBI as of today?

13 MR. DELK: Same objection.

14 You can respond.

15 THE WITNESS: I don't know.

16 Q. (By Mr. Brown) And you -- you knew that  
17 my client, Coalition for Governance, has informed  
18 Coffee County many months ago of the suspicion of  
19 this breach, right?

20 A. I'm not wind -- I'm not sure of when  
21 Coffee County was informed of the breach. The real  
22 concern came through the media presentations.

23 Q. You mean more recently?

24 A. Well, I mean, whenever they first came  
25 out.

1 MR. BROWN: I just want to look at my  
2 notes here real quick.

3 Now that -- That's all I have. Thank  
4 you.

5 THE WITNESS: Thank you.

6 THE VIDEOGRAPHER: Anybody else have  
7 questions?

8 MR. MILLER: We will. But I -- I  
9 apologize; and we first need a quick break,  
10 probably about ten-minute break, if that's all  
11 right.

12 THE VIDEOGRAPHER: All right. The time is  
13 2:27 p.m.

14 THE WITNESS: You need a break?

15 MR. MILLER: Yeah.

16 THE VIDEOGRAPHER: The time is 2:27 p.m.  
17 We are off video record.

18 (Recess from 2:27 p.m. to 2:47 p.m.)

19 THE VIDEOGRAPHER: The time is 2:47 p.m.  
20 We are back on video record.

21 Here you go, sir.

22 MR. MILLER: All right.

23 THE VIDEOGRAPHER: Just pull it. Yep.

24 MR. MILLER: All right.

25 THE VIDEOGRAPHER: You've got it.

1 CROSS-EXAMINATION

2 BY MR. MILLER:

3 Q. All right. Mr. Stone, my name is Carey  
4 Miller. I represent the State Defendants in this  
5 litigation.

6 A. Uh-huh.

7 Q. I thank you again for -- for being here.

8 A. Uh-huh.

9 Q. It's a bit of a drive up, and a long --

10 A. Uh-huh.

11 Q. -- day sitting in the hot seat over there.

12 A. Uh-huh.

13 Q. I wanted to start off asking you a handful  
14 of questions that I'm not sure were covered; and if  
15 they were, really just to clarify your testimony  
16 and -- and background as a rep -- 30(b)(6)  
17 representative of the Coffee County Board.

18 A. Okay.

19 Q. When did you first come on to the Coffee  
20 County Board of Elections?

21 A. January 2017.

22 Q. Okay. And you were appointed to that  
23 post?

24 A. I was.

25 Q. And by whom?

1           A.     The commissioner's name Scooter Bill Dean,  
2     and I cannot remember his real name, but I've  
3     suspected you would ask me that. But Commissioner  
4     Dean, Coffee County commissioner has since passed  
5     away.

6           Q.     Okay.

7           A.     But that was -- That's how I got on  
8     there.

9           Q.     All right. Fair enough. I won't quiz you  
10    over his vital records.

11          A.     I got you. Okay. Thank you.

12          Q.     So when you first came on to the Coffee  
13    County Board of Elections, was your role described to  
14    you in terms of the Board's role in administering  
15    elections?

16          A.     The role was described -- In the bylaws  
17    the role is described; and I was given a copy of the  
18    bylaws; and essentially, I -- I was able to  
19    participate in training various times to learn what  
20    the role of the Board member is.

21                 And so that's a good -- really good  
22    question, because my understanding of the Board is  
23    just as I told him. It was you attend the meeting  
24    once a month, and you facilitate elections to make  
25    sure that the elections that you provide are free,



1 fair, and transparent; and that's my understanding, I  
2 mean, in a nutshell of what Board member's role is.

3 Q. Okay. Fair enough. And -- and when you  
4 talk -- When you refer to trainings there --

5 A. Uh-huh.

6 Q. -- did you participate in any training  
7 specific to board members, or are you referring to  
8 seeing training for superintendents or elections  
9 directors?

10 A. And it would be more related to the --  
11 Georgia -- Georgia Association of Voter Election  
12 Officials training, the conference-type of  
13 training --

14 Q. Sure.

15 A. -- the general sessions and the meetings  
16 that -- that they provided.

17 Q. Okay. And -- And just so that I'm clear,  
18 that would be the -- I believe it's Georgia Election  
19 Officials Association, GEOA. Does that sound  
20 familiar to you?

21 A. GEOA. GAVREO.

22 Q. Yes.

23 A. Is that familiar?

24 Q. Yes.

25 A. Yeah. They're -- and -- And I don't

1       remember specifically who sponsored which training,  
2       but I've -- I've been to several of those trainings?

3             Q.       Okay. And that GAVREO, G-A-V-R-E-O,  
4       right?

5             A.       Right.

6             Q.       Okay.

7             A.       That's right.

8             Q.       And may have postdated your time on the  
9       Board. Similar to the -- what was previously  
10       referred to as VRAG, Voter Registrars Association of  
11       Georgia.

12            Are you familiar with that at all?

13            A.       Is that -- That's no longer being used,  
14       is it? The -- I have -- Or I -- I have a  
15       recollection of that.

16            Q.       Okay. And I'll represent to you those  
17       GEOA and VRAG eventually merged --

18            A.       Right.

19            Q.       -- and became GAVREO.

20            A.       Right.

21            Q.       Okay. Did -- How many of those  
22       conferences did you attend? Did you attend them on a  
23       regular basis or --

24            A.       I -- I attended several of the  
25       conferences, especially at the outset of my tenure on

1 the Board.

2 Q. Okay.

3 A. And so I haven't been to one in probably  
4 over a year. The -- The last one that I attended  
5 was in Athens.

6 Q. Okay.

7 A. So when was that? That was the last one  
8 that I went to.

9 Q. Fair enough. And -- And with respect to  
10 your attendance at those conferences, were you  
11 frequently going with your elections supervisor,  
12 Misty? Was she also there?

13 A. Yes.

14 Q. Now with respect to the presentations you  
15 guys may have attended --

16 A. Uh-huh.

17 Q. -- is it your understanding that Miss  
18 Hampton was obtaining a certification, whereas you  
19 may have been just observing and -- and gaining  
20 knowledge?

21 A. It was my understanding that she was  
22 required to go for a certain amount of time every  
23 year.

24 Q. Okay. And with respect to your attendance  
25 at those conferences, you personally as a Board

1 member did not studiously review presentations,  
2 because it was a statutory responsibility.

3 Does that make sense?

4 A. It does.

5 MR. DELK: Object to the form.

6 Q. (By Mr. Miller) Okay. As opposed to just  
7 gaining knowledge and observing and that sort of  
8 thing?

9 A. Yes.

10 Q. Would that be generally accurate?

11 A. I would say that's generally accurate.

12 Q. Okay.

13 A. Yes.

14 Q. Now I -- I want to ask you a little bit  
15 about the election system in Georgia, just kind of  
16 basic component pieces.

17 A. Okay.

18 Q. As I understood your testimony earlier,  
19 you weren't necessarily specifically familiar with  
20 the GEMS or EMS server and system. Knew it to be a  
21 part of the election system, but not fluent in your  
22 specific knowledge as to that?

23 A. Not fluent with what each specific piece  
24 of equipment does. No. I'm not.

25 Q. Okay.

1 A. I'm not familiar with that.

2 Q. And so that would be applicable to the EMS  
3 that we just discussed, right?

4 A. Yes.

5 Q. Okay.

6 A. That's correct.

7 Q. Similarly -- and let -- Strike that. Let  
8 me take a step back.

9 But as general principles, you do  
10 understand the component parts in an election system  
11 that, say, a -- a voter interacts with, correct?

12 A. Yes.

13 Q. Check in at the poll pad, right?

14 A. Yes.

15 Q. Go to the BMD machine?

16 A. Yes.

17 Q. Select your choices?

18 A. Yes.

19 Q. Print the ballot?

20 A. (Witness nods head.)

21 Q. Take it to the scanner, right?

22 A. Yes.

23 Q. Okay. You were shown a picture of various  
24 compact flash cards and thumb drives and things of  
25 that nature. Do you recall that?

1 A. I do.

2 Q. I think it was actually several pictures,  
3 right?

4 A. Uh-huh.

5 MR. DELK: Yes?

6 THE WITNESS: Yes.

7 MR. DELK: Yes or no.

8 Q. (By Mr. Miller) Do you have any knowledge  
9 as to what those component pieces are used for?

10 A. I don't know specifically what they're --  
11 they're used for.

12 Q. But your superintendent or day-to-day  
13 elections director employed by the Board, they would  
14 know how they're used and what they're used for,  
15 right?

16 A. Yes.

17 Q. Okay. And would that similar kind of  
18 general understanding apply to, say, the application  
19 of State Election Board regulations?

20 MR. CROSS: Objection to form.

21 Q. (By Mr. Cross) Do you understand the  
22 question I'm asking?

23 A. No. Ask the question again. I -- I  
24 don't understand.

25 Q. Okay. So with respect to this sort of

1       general understanding you have of the various  
2       component pieces --

3             A.       Uh-huh.

4             Q.       -- your understanding of state Election  
5       Board rules and regulations, is that a similar  
6       general understanding or do you have specific  
7       knowledge as to those?

8             A.       I --

9             MR. CROSS:  Objection to form.

10            THE WITNESS:  It's general -- general  
11       understanding.

12            Q.       (By Mr. Miller)  Okay.  Mr. Stone, you're  
13       aware that there are certain security regulations  
14       promulgated by the State Election Board concerning  
15       access to component pieces of the voting system,  
16       right?

17            A.       Yes.

18            MR. DELK:  Object to the form.

19            Q.       (By Mr. Miller)  Okay.  And I'm going to  
20       introduce now what -- it's Tab 1 -- what we'll mark  
21       as Defendant's Exhibit 1.

22                    (Defendant's Exhibit 1 was marked for  
23       identification.)

24            Q.       (By Mr. Miller)  I'm just going to put a  
25       sticker on here just so that you don't lose track of

1 it, if that's okay.

2 A. I'm fine.

3 Q. So we may flip back and forth a little  
4 bit.

5 MR. DELK: I'm assuming you guys are  
6 uploading these --

7 MR. MILLER: Yes.

8 MR. DELK: -- through Exhibit Share as  
9 well?

10 MR. MILLER: And I believe so. Has that  
11 been introduced?

12 MS. LaROSS: Sorry. You're saying?

13 MR. DELK: I was making sure these are  
14 also being uploaded to --

15 MS. LaROSS: Yeah. That's --

16 MR. DELK: -- Exhibit Share.

17 Ms. LaROSS: Yeah.

18 MR. DELK: Okay. Thank you.

19 Ms. LaROSS: Yeah.

20 It's in, the document.

21 Q. (By Mr. Miller) Okay. Mr. Stone, have  
22 you seen this before?

23 A. Now I probably have seen this before. I  
24 don't recall specifically seeing this, but I am aware  
25 of some of these policies and -- and procedures.



1 Q. Okay.

2 A. Okay. So --

3 Q. You're aware generally of the policies and  
4 procedures?

5 A. Yes.

6 Q. Okay. And if you'll look there at  
7 Paragraph 1, it -- it just starts off, "The election  
8 superintendent..."

9 Do you see that?

10 A. I do.

11 Q. And I will represent to you -- You may  
12 have awareness of this, but I'll represent to you  
13 that election superintendent with respect to these  
14 regulations is defined as, in your case, the County  
15 Board of Elections.

16 Do you have any reason to doubt me on  
17 that?

18 A. No.

19 MR. DELK: Object to --

20 THE WITNESS: That's correct.

21 MR. DELK: -- the form.

22 Q. (By Mr. Miller) Okay. And you see there,  
23 "The election superintendent of the County shall  
24 maintain all components of the voting system..."

25 And it goes on to list various pieces

1       there in Paragraph 1 -- "... in accordance with the  
2       requirements of this rule, the directives of the  
3       Secretary of State, and the specifications and  
4       requirements of the manufacturer."

5               Do you see that?

6           A.     I do.

7           Q.     Okay.  So generally speaking, you're aware  
8       of these procedural safeguards around who has access  
9       to certain equipment and how it's stored, right?

10          A.     Yes.

11          Q.     Okay.  But you personally would not be  
12       familiar with, say, the specifications and  
13       requirements of a manufacturer.  That's -- That's  
14       used in paragraph --

15               MR. DELK:  I object to form.

16               MR. CROSS:  Object to the form.

17               THE WITNESS:  I think that's -- I mean, I  
18       think that's a fair question.

19          Q.     (By Mr. Miller)  Would that generally be  
20       accurate?

21               MR. CROSS:  Objection to form.

22               MR. DELK:  Same.

23               THE WITNESS:  I would think so.  Yes.

24          Q.     (By Mr. Miller)  Okay.  But would it also  
25       be accurate that you would rely on the individual

1 employed by the Board --

2 A. Yes.

3 Q. -- to be familiar with those requirements,  
4 right?

5 A. We would -- We would expect that the  
6 person that we hired as the election supervisor with  
7 the terminology being different, superintendent and  
8 supervisor, but the supervisor to maintain all of  
9 the -- the security --

10 Q. Sure.

11 A. -- the local security for the -- for the  
12 systems and the data.

13 Q. Okay. That's fair enough.

14 And, Mr. Stone, when you came on to the  
15 Coffee Board of Elections, was Miss Hampton --

16 And I apologize. I believe her name's  
17 changed?

18 A. Hampton.

19 Q. Miss Hampton --

20 A. Uh-huh.

21 Q. -- was she currently employed when you  
22 came on to the Board?

23 A. She was.

24 Q. Okay. Now you talked earlier about the  
25 circumstances surrounding her dismissal, right?

1 A. I did.

2 Q. Okay. As I understood your testimony, it  
3 was Mr. Rowell who brought the time sheet issue to  
4 the Board's attention; is that accurate?

5 A. As I recall --

6 Q. Okay.

7 A. -- yes.

8 Q. And -- And if I say anything wrong --

9 A. And then I --

10 Q. -- please correct me.

11 A. I can barely remember what I had for  
12 breakfast.

13 But yes. As I recall, yes. That's the  
14 way the -- it came about.

15 Q. Okay. So there was no individual Board  
16 member that happened to notice it and ask Mr. Rowell  
17 to look at this time sheet issue, correct?

18 MR. DELK: Object to the form.

19 THE WITNESS: That's correct.

20 Q. (By Mr. Miller) Okay. Mr. Stone, is --  
21 is Mr. Rowell still advising the Board of Elections?

22 A. He is. To my knowledge, he is.

23 Q. Okay. And in that role, he -- he's  
24 advising you with respect to the Board's general  
25 duties, but not -- For instance, he's not here for

1       this deposition, right?

2               MR. DELK: Object to the form.

3               He work -- He and I are with the same  
4       firm, so object to the form. That's a  
5       misrepresentation.

6       Q.       (By Mr. Miller) And, Mr. Stone, let me  
7       clarify what I'm trying to ask here, is that --

8               Is Mr. Rowell involved in your defense or  
9       response to the subpoenas in this litigation?

10              MR. DELK: Same objection.

11              You're getting into --

12              THE WITNESS: Well, I mean --

13              MR. DELK: -- attorney-client-privileged  
14       stuff.

15              THE WITNESS: -- our -- All of the  
16       communication that we had with -- with counsel,  
17       he works with them; and so in my opinion, I  
18       mean, I'm talking to all of them whenever --

19              I mean, I do -- I'm not a lawyer. I am  
20       assuming that --

21              MR. DELK: Don't assume. If you know, you  
22       know. If you don't, you don't.

23              THE WITNESS: Yeah.

24              MR. DELK: Do not assume.

25       Q.       (By Mr. Miller) That's fair enough.

1                   Mr. Stone, you testified earlier about a  
2                   video that was posted online of Miss Hampton and  
3                   adjudicating ballots, right?

4                   A.       Yes.

5                   Q.       Do you recall that?

6                   A.       I do.

7                   Q.       And -- And you recall that video  
8                   generally, right?

9                   A.       I do.

10                  Q.       Okay. And would it be accurate to say  
11                  that that ballot adjudication process only occurs  
12                  with hand-marked paper ballots?

13                  MR. CROSS: Objection to form.

14                  THE WITNESS: It would be fair to say that  
15                  that's what we were shown.

16                  Q.       (By Mr. Miller) Okay. Now I'm going to  
17                  back up a little bit. What -- What's your  
18                  understanding of the purpose of ballot adjudication?

19                  A.       A ballot is kicked out of the system for  
20                  various reasons, if it has a stray mark on it. If  
21                  the -- it's not marked correctly, the ballot may be  
22                  kicked out of the system.

23                  Okay. And then the ballot has to be  
24                  adjudicated. In other words, we have to determine  
25                  the intent of the voter.

1                   That's my understanding of the  
2 adjudication process.

3           Q.     Okay. And you've never -- Strike that.  
4                   Have you ever seen a stray mark on a  
5 ballot produced by a ballot-marking device?

6           A.     By -- By a mallet -- ballot-marking  
7 device?

8           Q.     A BMD. The touch screen.

9           A.     I -- I -- I've never -- I'm not --  
10                  Not that I recall. No.

11          Q.     Okay. And if I recall your testimony  
12 correctly, you've said something to the effect of --

13          A.     If -- If a voter votes two people in one  
14 race, that ballot gets kicked out.

15          Q.     Right.

16          A.     I mean, that's just another reason for it  
17 to get kicked out. Okay. So --

18          Q.     Sure. Okay. And if I recall your  
19 testimony earlier, you testified something to the  
20 effect of the adjudication video that Miss Hampton  
21 participated in filming and -- and the items around  
22 it caused a lack of confidence or concerns that the  
23 voting system was insecure.

24                  Do you -- Do you recall that testimony?

25          A.     I recall saying --

1 MR. DELK: Object to the form.

2 THE WITNESS: -- that we knew what was  
3 being provided to us and that it is my testimony  
4 that she provided for the Board ways that the  
5 system could be altered to change an election.

6 Q. (By Mr. Miller) Right.

7 A. I mean, we were -- In other words, we  
8 were being made to believe this by her.

9 Q. Okay.

10 A. That -- That's my feeling.

11 Q. Okay. That -- That's what understood the  
12 testimony. I was trying to make sure I --

13 A. Uh-huh.

14 Q. -- I got the correct understanding --

15 A. Uh-huh.

16 Q. -- from that, and that sort of --

17 What she was utilizing to make you believe  
18 that, at least in part, was this ballot adjudication  
19 process, right?

20 MR. DELK: Objection to form.

21 THE WITNESS: Yes.

22 Q. (By Mr. Miller) Okay. Mr. Stone, do you  
23 recall who all was on the Board of Elections at the  
24 time of your -- or I'm sorry -- as of January 7,  
25 2021?



1           A.       January 7, 2021. So that would be --  
2       That would be the day that Misty was dismissed.

3           MR. DELK: No, no, no.

4           THE WITNESS: 20 --

5           Q.       (By Mr. Miller) Let -- Let me help you  
6       here. So the runoff election for United States  
7       Senate occurred on January 5, 2021.

8           A.       Okay.

9           Q.       January 7, two days thereafter, so around  
10      the time of certification of the January 5 runoff  
11      election -- Are you with me?

12          A.       Yeah. But the only ones I can  
13      specifically name are Ernestine Clark; me, of course;  
14      Eric Chaney; and Matthew McCullough.

15          Q.       Okay.

16          A.       Those -- That's all I can --

17          Q.       Now was Mr. Voyles a member of the Board,  
18      or am I misunderstanding his -- his role in --

19          A.       Mr. --

20          Q.       -- relation to this?

21          A.       -- Voyles is the immediate past  
22      chairperson of the Board of Elections.

23          Q.       But not still on the Board?

24          A.       No.

25          Q.       Okay.

1           A.     And please don't ask me when he resigned,  
2     because I cannot recall specifically when he resigned  
3     so --

4           Q.     Unfortunately, I have to ask you that  
5     question; but I won't ask you specifically.

6           A.     Okay.

7           Q.     Generally, do you recall if he resigned,  
8     let's say, before or after the November 2020  
9     election?

10          A.     I don't recall. I don't recall when he  
11     resigned.

12          Q.     Okay. And I know you spoke earlier about  
13     the reasons for Mr. Chaney's resignation.

14                 As a representative of the Board, are you  
15     aware of the reasons for Mr. Voyles' resignation?

16          A.     My understanding, that he was going to  
17     relocate.

18          Q.     Move from Coffee County entirely?

19          A.     Uh-huh.

20          Q.     Okay. And did that happen?

21          A.     I'm not certain.

22          Q.     Okay.

23          A.     I don't know.

24          Q.     So the individuals that you just listed  
25     that were on the Coffee County Board, to the best of

1       your recollection, I believe --

2             A.       Uh-huh.

3             Q.       -- Mr. Chaney is no longer on the Board,  
4       right?

5             A.       That's correct.

6             Q.       Mr. Voyles is no longer on the Board,  
7       right?

8             A.       That's correct.

9             Q.       Okay. I understand Miss Thomas-Clark  
10       remains on the Board, right?

11            A.       She does.

12            Q.       Okay. Who else remains on the Board at  
13       this point?

14            A.       Matthew McCollough.

15                    MR. DELK: In general, or from the ones  
16       that were on that list?

17                    MR. MILLER: That's a fair point.

18            Q.       (By Mr. Miller) Let me rephrase that.

19            A.       Matthew McCullough.

20            Q.       Okay.

21            A.       Me. So me, Matthew, Ernestine. And let's  
22       see. So Eric has resigned from the Board, and we had  
23       a new member. Andy --

24                    I've got a really good memory and -- and  
25       the stress of this is causing me to not be able to --

1 MR. DELK: He's asking about any --  
2 I believe in reference to January 7th of  
3 '21?

4 MR. MILLER: Yeah. I -- I started to  
5 rephrase and --

6 MR. DELK: Okay.

7 Q. (By Mr. Miller) And I think you were  
8 trying to remember the names.

9 A. Uh-huh.

10 Q. So let -- Let me clarify that question.

11 A. Uh-huh.

12 Q. Who is currently on the Board right now?

13 A. Okay. Andy Thomas is a -- a Board member.  
14 Me. Ernestine.

15 And there's one more person on there. And  
16 it's not Eric. Matthew. Matthew McCullough.

17 Q. Okay.

18 A. It's a five-member Board.

19 Q. Right.

20 A. So when one person -- And Eric has  
21 resigned. I'm -- I'm -- He doesn't want me to  
22 assume but --

23 MR. DELK: But don't assume.

24 THE WITNESS: The commissioner will --  
25 The commissioner will, for that district, will

1           appoint someone to fill that seat.

2           Q.       (By Mr. Miller)   Okay.   Nobody's filled  
3   the seat yet?

4           A.       To my knowledge, no.

5           Q.       Okay.

6                   MR. CROSS:   Carey, the --   He has the  
7   November 2020 Board minutes.   I think they may  
8   help answer your question, if you want to --

9                   MR. MILLER:   Yeah.

10                  MR. CROSS:   -- look at them.

11                  MR. MILLER:   To be honest, I -- I knew  
12   they were introduced, but I didn't want to slow  
13   things up to dig back through exhibits.

14                  THE WITNESS:   Can I look at yours.

15                  MR. MILLER:   And figure out which number  
16   it was.

17                  MR. DELK:   We have it.

18                  MR. CROSS:   Exhibit --

19                  MR. DELK:   Exhibit 10.

20                  THE WITNESS:   I can look.   Let me see,  
21   I've got it up here somewhere.

22                   Okay.   What are we doing -- November 2020?

23           Q.       (By Mr. Miller)   Yeah.   Why don't you just  
24   go to the last -- most recent Board minutes you've  
25   got there.   I think you've got May 3, 2022.

1           A.     Okay.  Members present -- Ernestine Clark,  
2     Matthew McCullough, Andy Thomas, Wendell Stone.

3           Okay.  Rachel Roberts is listed there as a  
4     member, but she's not a member.  She's the -- she's  
5     the election supervisor.

6           Q.     Okay.

7           A.     But she was present in that meeting.

8           Q.     Got it.  Okay.

9           MR. CROSS:  Carey, I would suggest you  
10     might want to look at the November page on your  
11     question.

12          MR. MILLER:  That was 2020?

13          MR. CROSS:  Yeah.  Voyles --

14          THE WITNESS:  November 20 --

15          MR. CROSS:  -- is listed as a guest.

16          THE WITNESS:  November 2020?

17          Q.     (By Mr. Miller)  Yeah.

18          A.     All right.  Here's this.

19                 Okay.  Ernestine Thomas-Clark, Wendell  
20     Stone, Eric Chaney, Matthew McCully -- McCullough,  
21     C.T. Peavy.

22                 Okay.  So Mr. Peavy was still on the Board  
23     at that time, Mr. Travis Peavy.

24          Q.     Okay.  And that's --

25          MR. DELK:  At the time of November '20,

1           just to be clear. We've bounced around dates,  
2           just so the record's clear.

3           MR. MILLER: That's fine.

4           Q.     (By Mr. Miller) And -- and the --

5           A.     Now and when you asked me a few minutes  
6           ago, I thought you said November 2021. I mean, I  
7           would never remember that either -- this either, but  
8           still --

9           Q.     That's fine.

10          A.     Just to clarify.

11          Q.     I'm glad we're clarified of that.

12                 And -- and truth be told, I -- The large  
13           focus was it was unclear to me when you referred to  
14           the immediate past chairman, Mr. Voyles --

15          A.     Uh-huh.

16          Q.     -- that that immediate past chairman is in  
17           a continuing role on the Board. You were just  
18           referring to he used to be chair.

19          A.     He use to be chair.

20          Q.     He's no longer on the Board?

21          A.     That's correct.

22          Q.     Okay. Mr. Stone, you were shown a series  
23           of pictures from some security footage.

24                 Do you recall that?

25          A.     I do.

1 Q. Okay. And to your knowledge, when did the  
2 Board locate that footage?

3 A. What was the date on --

4 MR. DELK: Object to the form.

5 THE WITNESS: -- the footage you're  
6 referring to?

7 Q. (By Mr. Miller) So I'm referring to the  
8 security footage for the front door for which you've  
9 seen various still shots.

10 A. You're referring to the January 7th. Is  
11 that January 7th right there?

12 Q. Well, really, I'm referring to all of it,  
13 'cause I -- I don't think --

14 A. Okay.

15 Q. -- any of the --

16 A. So when did --

17 Q. -- the requested footage was located.

18 A. You're asking me when did the Board --  
19 when did --

20 Ask the question again.

21 Q. So you're aware as part of the subpoena in  
22 this case, the Plaintiffs sought security footage for  
23 the Elections Office, right?

24 A. Yes.

25 Q. Okay. And, likewise, I think Mr. Cross



1       showed you documents reflecting an Open Records Act  
2       Request from Miss Marks seeking the security footage,  
3       right?

4             A.       Yes.

5             Q.       Okay. And at that time, it's my  
6       understanding your testimony was the Board didn't  
7       think they had it. Is that accurate?

8             MR. DELK: At what time?

9             Q.       (By Mr. Miller) At the time those  
10      requests were made at the time the first subpoena was  
11      served. Do you understand my question?

12            A.       Now I think I sort of understand your  
13      question.

14                    But if it was beyond 60 days, my  
15      understanding is that in 60 days, the video  
16      overwrites; and they didn't have immediate access to  
17      part of the footage because of that; and that all of  
18      this, the footage now comes from the County  
19      administration, the IT person, the IT company. And  
20      so that's my understanding for any footage that  
21      doesn't exist.

22                    Some footage does exist because of an Open  
23      Records Request that was submitted by Misty Hampton,  
24      and so that's where that footage came from.

25            Q.       Okay. That footage, that had previously

1       been produced as an Open Records Request --

2           A.       Uh-huh.

3           Q.       -- to Misty Hampton, right?

4           MR. DELK:   Object to the form.

5           THE WITNESS:   As far as I know, yes, sir.

6           Q.       (By Mr. Miller)   Okay.   When was that  
7       footage first located?   Do you recall, or do you have  
8       any knowledge of that?

9           A.       I don't have any knowledge of that; and I  
10       mean, I myself have only viewed that only recently.

11          Q.       Okay.

12          A.       And on behalf of the Board, they have not  
13       seen that.

14          Q.       Okay.   Mr. Stone, I'm going to ask you, if  
15       you have it there in front of you, to pull up  
16       Plaintiff's Exhibit 3.

17                   And this is one of the still shots.   The  
18       first picture on there is a woman in a red shirt  
19       walking towards the door.

20          A.       That would be three.   Woman in a red  
21       shirt.

22                   Okay.   This one (indicating)?

23          Q.       Yes.   That's it.

24                   And if you'll go with me to Page 21 of  
25       that exhibit.

1 A. Okay.

2 Q. And you recall looking at this picture and  
3 testifying to it of the individual carrying this box  
4 out. Do you recall that?

5 A. I do.

6 Q. Okay. As I recall your testimony at the  
7 time, you were asked a series of questions as to  
8 whether that box contained a BMD.

9 Do you recall that?

10 A. I do.

11 Q. And -- And as I understood it, you've --  
12 you were unsure, right?

13 A. I am unsure.

14 Q. Okay. And you're unaware of generally  
15 what would be in that box, right?

16 MR. CROSS: Objection to form.

17 THE WITNESS: I'm unaware.

18 MR. MILLER: Okay. I'm going to introduce  
19 another exhibit now. This is Tab 12, which  
20 we'll mark as Defendant's 2.

21 (Defendant's Exhibit 2 was marked for  
22 identification.)

23 THE WITNESS: Okay.

24 Q. (By Mr. Miller) So if you -- If you'll  
25 do me a favor, if you'll keep Plaintiff's 3 in front

1 of you there, Page 21. And you see Plaintiff's 3.

2 There's an individual with a blue-checked shirt

3 carrying the box out?

4 A. That's correct.

5 Q. And the time there listed at the top is  
6 January 7, 2021, right?

7 A. It is.

8 Q. At 7:42:59 p.m., right?

9 A. It is.

10 Q. Okay. So I'll ask you to look at  
11 Defendant's Exhibit 2 that I just handed you.

12 A. Okay.

13 Q. You see that individual carrying a box in?

14 A. I do.

15 Q. Does that look like the same box to you?

16 MR. CROSS: Objection to form.

17 THE WITNESS: I don't know if that's the  
18 same box. It appears to be the same box.

19 Q. (By Mr. Miller) Look awfully similar,  
20 right?

21 A. They do.

22 Q. Okay. And do you see the time at the top  
23 there. The time and day -- January 7, 2021 12:17  
24 p.m., do --

25 A. I do.

1 Q. -- you see that?

2 Okay. And if you'll flip with me to the  
3 next page, and you see this is still 12:17 p.m.,  
4 right?

5 A. It is.

6 Q. It's a little closer picture of the  
7 individual?

8 A. Yes.

9 Q. Okay. And, finally, you can flip to the  
10 next page or the third page.

11 A. (Witness complies with request of  
12 counsel.)

13 Q. And you see this individual walking in the  
14 door with a closer photo of that box, right?

15 A. Yes.

16 Q. Okay. And, in fact, if you'll look at  
17 Plaintiff's 3, Page 21, the --

18 So you can hold them up side by side.  
19 Might be easiest.

20 A. This one (indicating)?

21 Q. Yes. Yes.

22 A. Okay.

23 Q. The second person in that photo is also in  
24 the Defendant's Exhibit 2, right?

25 A. Yes.

1 Q. Wearing the same clothes as -- Right?

2 A. Yes.

3 Q. 'Cause it's -- Plaintiff's Exhibit 3 is  
4 later the same day, correct?

5 A. Yes.

6 Q. Okay. So having seen that, is it your  
7 understanding these individuals were leaving with the  
8 same equipment they've brought in?

9 MR. CROSS: Objection to form.  
10 Speculation.

11 THE WITNESS: And I -- I don't know. It  
12 appears so.

13 Q. (By Mr. Miller) Okay. Mr. Chaney, I'm  
14 going to -- I'm sorry. Mr. Stone. I apologize.

15 I'm going to shift gears here just a  
16 little bit. If you could go back to your -- I know  
17 you've got a pile of papers there but --

18 A. Uh-huh.

19 Q. -- Plaintiff's Exhibit 5.

20 A. Okay. So what is that?

21 Q. And that would be a letter that -- from  
22 Dominion Voting. It has Dominion Voting on the top  
23 left corner. I'd show it to you, but I don't --

24 MR. DELK: It looks like that  
25 (indicating).

1 Q. (By Mr. Miller) -- have a copy.

2 A. That's not it.

3 MR. DELK: No. It should be a single-page  
4 document.

5 Here, look at my copy; and just give it  
6 back to me. Save us a little bit of time maybe.

7 THE WITNESS: Sorry. It's probably up  
8 here somewhere.

9 MR. DELK: It's there somewhere. It's  
10 okay.

11 MR. MILLER: You know, I --

12 MR. DELK: You can look at that one.

13 MR. CROSS: Here you go. You can use that  
14 one.

15 MR. DELK: No. That's fine.

16 MR. CROSS: I'll clean up for you.

17 Go ahead.

18 Q. (By Mr. Miller) So, Mr. Stone, if I  
19 recall your testimony correctly, you -- you said you  
20 had not seen this particular letter yourself, right?

21 A. I don't recall seeing it.

22 Q. Okay. On a regular basis, as a Board  
23 member, do you typically receive notifications or  
24 detailed notifications of this nature from Dominion?

25 MR. CROSS: Objection to form.

1 THE WITNESS: The detailed notifications  
2 would go to the elections supervisor.

3 Q. (By Mr. Miller) Okay.

4 A. And on a regular basis, no. We don't get,  
5 you know, detailed notifications, not as a Board  
6 member.

7 Q. As a Board member, sure. But your  
8 elections supervisor might?

9 A. Yes.

10 Q. Is that your understanding that --

11 A. That is my --

12 Q. -- the elections supervisor typically  
13 would?

14 A. -- understanding. Yes.

15 THE COURT REPORTER: No, no, no. Let's  
16 redo --

17 MR. DELK: Stop until --

18 THE COURT REPORTER: -- it, please.

19 MR. DELK: -- he's done. Okay.

20 Q. (By Mr. Miller) Is that your  
21 understanding that the elections supervisor typically  
22 would receive those notifications?

23 A. Yes.

24 MR. CROSS: Okay. I'm going to mark  
25 another exhibit, Defendant's Exhibit 3. This



1 is --

2 (Defendant's Exhibit 3 was marked for  
3 identification.)

4 MR. DELK: Let me see that back.

5 THE WITNESS: Defendant's Exhibit 3.

6 Okay. I don't have this one yet.

7 MR. MILLER: If you want a copy, there  
8 they are.

9 Q. (By Mr. Miller) Okay. And, Mr. Stone,  
10 I'll ask you to turn to the last -- Or I say last  
11 page. It's the second page here.

12 A. Okay.

13 Q. It says Dominion 89394 down there in the  
14 lower corner?

15 A. Yes.

16 Q. Okay. Do you see there where it says,  
17 Please see the attached customer notification  
18 regarding maintaining a secure chain of custody for  
19 your voting system?

20 Do you see that?

21 A. I do.

22 Q. Okay. And do you see the next sentence  
23 follows, "Please note, we are sharing this  
24 information as a result of the ongoing defamatory  
25 action against Dominion and its voting systems,"

1 right?

2 A. Yes.

3 Q. Okay. As a Board member, are you  
4 generally aware of what that's referring to there,  
5 the ongoing defamatory action against Dominion and  
6 its voting systems?

7 A. I am.

8 MR. DELK: Object to the form.

9 Q. (By Mr. Miller) Okay. I -- I'm sorry.

10 A. I am.

11 Q. You are?

12 A. Uh-huh.

13 Q. Okay. And what -- what is your general  
14 awareness of that?

15 A. What I've seen in the media.

16 Q. Okay. Substantively speaking, these would  
17 be allegations of the machines being hacked or  
18 intentionally programmed to switch votes, for  
19 example. Is that something of that nature?

20 A. Well, I don't remember specifically; but  
21 I'd say problems with Dominion that I've seen in the  
22 media.

23 Q. Okay. Fair enough. So focusing back on  
24 the first sentence there that we read just a minute  
25 ago, this is referring to the attached customer

1 notification regarding maintaining a secure chain of  
2 custody for your voting system, right?

3 A. Yes.

4 Q. All right. And if you'll look at  
5 Plaintiff's Exhibit 5, the -- the letter we were just  
6 looking at before, Dominion Voting letter --

7 A. Uh-huh.

8 Q. -- and you see this is Customer  
9 Notification: Maintaining a Secure Chain of Custody  
10 for Your --

11 A. Uh-huh.

12 Q. -- Dominion Voting System, right?

13 A. Yes.

14 Q. Okay. Now as I under -- Strike that.

15 If you'll look back to Defendant's 3, the  
16 e-mail chain there and if you'll go to the first page  
17 there --

18 A. Okay.

19 Q. -- bottom of the first page --

20 A. Uh-huh.

21 Q. -- do you see where Ryan Germany  
22 @sos.ga.gov --

23 A. Yes.

24 Q. -- says, "Thanks Tom."

25 And if you'll look on the to line, do you

1       see tomfeehan@dominionvoting.com?

2           A.       Uh-huh.

3           Q.       Right?

4           A.       I -- Yes.

5           Q.       Okay. He says, "Did you send this to all  
6       the counties in Georgia as well?" Right?

7           A.       Yes.

8           Q.       Okay. And in the message above, Tom  
9       responds. "Yes, each CSM (Fran, Scott, and Beau)  
10      sent a copy to the counties in their respective  
11      regions."

12                   Do you see that?

13          A.       Yes.

14          Q.       Okay. Given this conversation, is it your  
15      understanding that your superintendent received this  
16      notification?

17          A.       My --

18                   MR. DELK: Object to --

19                   THE WITNESS: -- supervisor?

20                   MR. DELK: -- the form.

21          Q.       (By Mr. Miller) I'm sorry. Yeah. Your  
22      elections supervisor.

23          A.       Supervisor.

24                   MR. CROSS: Objection to form.

25                   Speculation.

1 THE WITNESS: I -- I don't know if the  
2 supervisor received this or not; but as an  
3 Election Board member, I probably would not have  
4 gotten this.

5 But yes. We would expect that the  
6 elections supervisor did get it.

7 Q. (By Mr. Miller) Okay.

8 A. But I can't testify that they did get it.

9 Q. Okay. Now I -- I may have misheard you  
10 earlier. But towards the end there, I believe that  
11 Mr. Brown asked you if you were aware that the  
12 Georgia Bureau of Investigation has interviewed  
13 individuals related to the incident in Coffee County,  
14 right?

15 A. I'm not aware of any GBI agent  
16 investigating any individual or questioning any  
17 individual related to this. I'm not aware of that.

18 Q. Okay.

19 A. I mean -- Never mind.

20 Q. If you're not aware of it, you're not  
21 aware of it.

22 A. I'm not aware of it.

23 Q. Okay. Mr. Stone, earlier you testified in  
24 sort of general terms about the trust, more or less,  
25 that you place in your supervisor to follow the

1 applicable rules and regulations?

2 A. Yes.

3 Q. Do you recall that?

4 A. I do.

5 Q. Okay. But you also testified that Misty  
6 Hampton was eventually dismissed for falsifying her  
7 timesheets, right?

8 A. That's correct.

9 Q. Okay. And you testified, in addition,  
10 that it wasn't the first time she'd done it either,  
11 right?

12 MR. CROSS: Object.

13 MR. DELK: Object to the form.

14 MR. CROSS: Well, what is it? What did  
15 you mean?

16 Sorry.

17 THE WITNESS: I'm not certain I understand  
18 your question. Is it the first time she  
19 falsified her timesheet, or is it the first time  
20 she's had a disciplinary action?

21 Q. (By Mr. Miller) I'm asking both  
22 questions. First, is it the first time she's  
23 falsified her timesheet, to your knowledge?

24 A. And I'm going to have to say that, I don't  
25 know how much evidence. I don't know how far their

1 investigation went back. It's very likely that, yes,  
2 she did falsify her timesheet before.

3 Q. Okay.

4 A. What was the second question?

5 Q. So the second question is we did discuss  
6 before she's been subject to disciplinary action --

7 A. Yes.

8 Q. -- correct?

9 A. That is correct.

10 Q. That was before the most recent falsifying  
11 of timesheet issues?

12 A. Yes.

13 Q. Okay. Mr. Stone, was there ever a  
14 discussion amongst the Board as to the  
15 trustworthiness and reliability of Miss Hampton prior  
16 to her dismissal?

17 A. Trustworthiness. There was never a  
18 discussion about that. No.

19 Q. Okay. Were there any other issues that  
20 you're aware of regarding Miss Hampton that came to  
21 the Board's attention with respect to her following  
22 applicable policies of the Board of Elections or  
23 rules and regulations of the State Election Board?

24 MR. DELK: Object to the form.

25 THE WITNESS: There was State Election

1 Board investigation into --

2 Are you referring to the video and to the  
3 doors being locked, to security concerns that --

4 Q. (By Mr. Miller) So --

5 A. -- the investigation found and the --

6 Q. Let me separate this out, 'cause I think  
7 it might go a little quicker.

8 A. Okay.

9 Q. You've testified earlier to your  
10 understanding that in 2017 Miss Hampton allegedly  
11 falsified reimbursement receipts --

12 A. Correct.

13 Q. -- correct?

14 A. Yes.

15 Q. Okay. Then she was dismissed for  
16 falsifying her timesheets, right?

17 A. That's correct.

18 Q. Okay. In between there, she posted a  
19 video of herself adjudicating ballots, which you  
20 testified led you to believe the voting system was  
21 unreliable, right?

22 A. That's correct.

23 Q. Okay. And those issues we talked about,  
24 at least the first one was 2017, right?

25 A. That's correct.



1           Q.     The adjudication of ballots was sometime  
2     shortly after the November 2020 election, right?

3           A.     That's correct.

4           Q.     And the Board continued to employ her,  
5     right?

6           A.     That's correct.

7           Q.     You didn't have any discussion about  
8     whether Miss Hampton was the right person for the  
9     job?

10          A.     We didn't.

11          Q.     Did any Board member raise that issue?

12          A.     In respect to what?

13                 In respect to the video or just the  
14     ongoing situation with Misty?

15                 And -- And the answer to your question is  
16     no. I don't recall that happening at all.

17          Q.     Okay. And, Mr. Stone, just so I -- I have  
18     this accurately, you've not spoken to Mr. Chaney  
19     since his resignation, right?

20          A.     I have not.

21          Q.     Okay. And at no point prior to this --  
22     his resignation did he inform the Board of his role  
23     with respect to the events on January 7 of 2021,  
24     correct?

25          A.     He did not. That's correct.

1 MR. CROSS: So did you say I did not?

2 THE WITNESS: He did not.

3 MR. CROSS: Oh, okay. Thanks.

4 Q. (By Mr. Miller) And, Mr. Stone, at no  
5 point before today, were you aware of Mr. Voyles'  
6 involvement in events of January 7, 2021; is that  
7 accurate?

8 MR. DELK: Objection to the form.

9 MR. CROSS: Form.

10 THE WITNESS: All right. That's accurate.

11 MR. MILLER: Okay. Okay. All right. We  
12 can take just a five-minute break here.

13 THE VIDEOGRAPHER: The time is 3:36 p.m.  
14 We are off video record.

15 (Recess from 3:36 p.m. to 3:44 p.m.

16 THE VIDEOGRAPHER: The time 3:44 p.m. We  
17 are back on video record.

18 Q. (By Mr. Miller) All right. Mr. Stone, if  
19 you could pull up Plaintiff's Exhibit 15.

20 Do you have that in front of you?

21 A. (Indicating).

22 Q. Okay. If you would go to the  
23 second-to-last page towards the bottom.

24 A. (Witness complies with request of  
25 counsel.)

1           Q.     And -- And just so that we're on the same  
2     page here, Mr. Cross asked you about the -- a -- the  
3     new lawsuit mentioned in this text message from  
4     Matthew McCullough, right?

5           A.     Yes.

6           Q.     Okay. And as I recall, at the time,  
7     you -- you were unaware as to which lawsuit that may  
8     be, right?

9           A.     Yes.

10          Q.     Okay. And since we began this deposition,  
11     you haven't in any way had your recollection  
12     refreshed as to which lawsuit that may be?

13          A.     I do not recall.

14          Q.     Okay. Mr. Stone, are you aware that --  
15     Let me back up.

16                 Do you recall Mr. Cross asking about an  
17     individual named Benjamin Cotton?

18          A.     I do.

19          Q.     Okay. And that Mr. Cotton viewed data  
20     from Coffee County, do you recall that conversation?

21          A.     I do.

22          Q.     Okay. So I'll represent to you that Mr.  
23     Cotton testified he did so in relation to a  
24     whistleblower lawsuit on behalf of Misty Hampton.

25                 Are you aware of any such whistleblower

1 lawsuit?

2 A. I'm not.

3 Q. Okay. Are you aware of any anticipated  
4 litigation concerning Misty Hampton?

5 A. I am not.

6 MR. DELK: Object to the form.

7 Q. (By Mr. Miller) And let me clarify that.  
8 It's a fair objection.

9 Are you aware of any anticipated  
10 litigation concerning the termination of Misty  
11 Hampton?

12 A. I'm not aware of that. No.

13 MR. MILLER: Okay. All right. Mr. Stone,  
14 with that -- that -- that's all I have.

15 MR. CROSS: Mr. Stone, I just have a few  
16 follow-up questions.

17 THE WITNESS: Sure.

18 RECROSS-EXAMINATION

19 BY MR. CROSS:

20 Q. Mr. Miller asked you some questions about  
21 the -- the video that was online on YouTube we talked  
22 about earlier that was filmed during a Board meeting  
23 in November of 2020.

24 You remember that?

25 A. I do.

1           Q.     Were there any other videos that were made  
2     in the Elections Office during a Board meeting, to  
3     your knowledge?

4           MR. DELK:   So we're clear, aside from that  
5     date of the video you're referencing?

6           Q.     (By Mr. Cross)   Well, right now, I'm just  
7     saying any other videos --   Could have been the same  
8     day.   But any other videos beyond the one that was  
9     put online?

10          A.     Oh.   Were there any other videos  
11     besides --   I don't recall any videos that were made  
12     besides that one.

13          Q.     Okay.   All right.   Grab Exhibit 14, which  
14     is the long text thread between Mr. Chaney and Miss  
15     Hampton.   It looks like this on the cover  
16     (indicating).

17          A.     This?

18          Q.     That is probably it.

19                 Yeah.   And you can flip the Page 13, if  
20     you would.

21          A.     Okay.

22          Q.     And the question I have for you before you  
23     look at that is Mr. Miller asked you about the  
24     adjudication process and ballots with stray marks on  
25     them --

1 A. Uh-huh.

2 Q. -- that might trigger that process.

3 Do you remember questions along those  
4 lines?

5 A. Yes, sir.

6 Q. And he suggested to you that that would  
7 only happen with hand-marked paper ballots.

8 Do you remember that question?

9 A. Yes.

10 Q. Okay. Take a look at this Page 13 of this  
11 text thread between Miss Hampton and Mr. Chaney.

12 A. Okay.

13 Q. And if you look here, you'll see there's a  
14 date of November 13, 2020 at 2:25 p.m.

15 Do you see that?

16 A. I do.

17 Q. And then there's a screen shot of a  
18 ballot. Do you see that?

19 A. Yes.

20 Q. And below that, when Ms. Hampton sends  
21 this -- this ballot to Mr. Chaney, she writes, "Why  
22 does this one have two QR codes?"

23 And then Mr. Chaney responds, "Wow.  
24 Crazy."

25 Do you see that?

1 A. Yes.

2 Q. Did Miss Hampton or Mr. Chaney ever raise  
3 with the Board that the BMD system used in the state  
4 sometimes generates ballots with multiple QR codes?

5 A. I don't recall that discussion.

6 Q. All right. Do you know what would happen  
7 if -- if a --

8 If a voter were to receive a ballot with  
9 multiple QR codes, do you know if that ballot would  
10 be tabulated, or what would happen with it?

11 A. I don't know.

12 Q. All right. Grab Exhibit 5, which is that  
13 Dominion letter that you had just a moment ago.

14 And if you've got it, you can grab  
15 exhibit -- the Defense Exhibit 3. You can grab both  
16 of them, if you've got them handy.

17 MR. DELK: Yeah. Grab this.

18 THE WITNESS: Okay. This letter right  
19 here.

20 MR. DELK: And this.

21 THE WITNESS: This.

22 And Defense 3.

23 MR. DELK: Yeah.

24 MR. CROSS: It must be in the other stack.

25 Sorry.

1 THE WITNESS: Must be in here.

2 MR. MILLER: There's a couple. It's the  
3 e-mail list.

4 MR. CROSS: Yeah.

5 MR. DELK: Is that the one with Ryan  
6 Germany --

7 MR. CROSS: Yeah.

8 MR. DELK: -- on top?

9 Just take my copy.

10 Q. (By Mr. Cross) So just a couple quick  
11 questions on this. Mr. Miller asked you some  
12 questions about whether in the ordinary course, you  
13 know, sort of typical notice that would come from the  
14 State or Dominion regarding the voting system,  
15 whether that would go to the elections supervisor,  
16 instead of the Board of Elections.

17 Do you remember that?

18 A. I do.

19 Q. Okay. Looking back again at Exhibit 5,  
20 this customer notification from May 6 of 2021, the  
21 one in front of you, what this concerns is an alert  
22 from Dominion, as we looked at before, that -- that  
23 customers, namely, jurisdictions like Coffee County  
24 that use the Dominion system were being approached  
25 with offers to request to conduct a forensic audit of



1       their voting equipment.

2                   Do you see that?

3           A.     Yes.

4           Q.     Fair to say that is not at all a typical  
5 alert, right?

6           A.     I think that's fair to say.

7           Q.     Now if you look at D-3, which is this  
8 e-mail thread that -- that relates to this customer  
9 notification and you look at the second page, Mr.  
10 Miller directed you to this portion about -- from Tom  
11 Feehan, to individuals at the Secretary of State's  
12 Office.

13                   And it says, "Please see the attached  
14 customer notification regarding maintaining a secure  
15 chain of custody for your voting system."

16                   And that's the same heading on Exhibit 5.

17                   Do you see that?

18          A.     Yes.

19          Q.     Okay. And you understand, as a member  
20 of -- as -- as the Board of Elections that it is, in  
21 fact, important to maintain a secure chain of custody  
22 for the Dominion Voting system, right?

23          A.     Yes.

24          Q.     All right. Why is that important?

25          A.     Well, I mean, to keep it secure.

1           Q.     Yeah. And we talked about earlier that  
2     the Secretary of State's Office came in and took the  
3     EMS server and the ICC in the summer of 2021 in  
4     Coffee County.

5                     Do you recall that?

6           A.     Uh-huh.

7           Q.     Yes?

8           A.     Yes.

9           Q.     Okay. Were you aware that Coffee County  
10    has told us it does not have a single piece of paper,  
11    not any documentation regarding replacing that  
12    equipment? Are you aware of that?

13          A.     I'm not aware of that.

14          Q.     Okay. Are you aware that the State has  
15    told us and the Court it also does not have a single  
16    piece of paper regarding replacing the ICC or the EMS  
17    server other than a generic L&A test document that it  
18    claims was for the new server?

19                     MR. MILLER: Object to the form.

20                     THE WITNESS: I'm not aware of that.

21          Q.     (By Mr. Cross) Are you aware that neither  
22    the County nor the State has produced a single chain  
23    of document -- chain of custody document to us  
24    showing when the EMS server, ICC was replaced; how it  
25    was replaced; who replaced it; and what the chain of

1 custody was from the State to the County?

2 MR. DELK: Object to the form.

3 THE WITNESS: I'm not aware of that.

4 Q. (By Mr. Cross) All right. Well, can you  
5 grab this D-2, picture of the guy walking in with the  
6 equipment; and grab our Exhibit 3. I was going to  
7 ask you just a couple questions. So hang on to this.

8 And then the one with -- I think it's the  
9 one with Jil Ridlehoover.

10 A. It's Jil -- the ridge --

11 Q. Right.

12 A. It may be on the bottom, actually.

13 Q. Sure. And now look --

14 A. Let's see.

15 Q. I think it may be in there. Is there some  
16 on the bottom? Sorry. I think it may be this one.  
17 Yes.

18 A. Okay. So this one and this one.

19 Q. Yeah. So flip to Page 21 of our Exhibit  
20 3, which Mr. Miller asked you about.

21 A. Okay.

22 Q. And flip to the third page of his Defense  
23 Exhibit 2, and just put those side by side for a  
24 moment.

25 All right. Now he suggested to you that

1       these are the same equipment maybe, maybe not. Let's  
2       see if we can look at that for a moment.

3               If you look at Defense Exhibit 2, so the  
4       picture where he's coming in the door with the box --

5           A.     Yes.

6           Q.     -- you see how it's it has these little  
7       indentions in it?

8           A.     Yes.

9           Q.     If you look at Page 21 of our Exhibit 3,  
10      you see how the box he's rolling out is smooth.  
11      There are no indentions on it?

12          A.     Yes.

13          Q.     Okay. Suffice to say, as you sit here,  
14      you just don't know one way or the other whether this  
15      man took out the same box that he took in; is that  
16      fair?

17          A.     That's fair.

18          Q.     And you also have no idea what might have  
19      been in that box when he left, right?

20          A.     I have no idea.

21          Q.     And you don't know what might have been in  
22      that box when he came in?

23          A.     That's correct.

24          Q.     So as you sit here, you have no idea, for  
25      example, whether there's a BMD inside that box?

1           A.     I have no idea.

2           Q.     Okay. Well, and sorry. One just  
3           clarifying thing. At the end of your examination  
4           with Mr. Miller, he asked you if you were aware  
5           before your testimony today that Mr. -- of Mr.  
6           Voyles' involvement in the events of January 7, 2021  
7           in the Elections Office; and you said, no, not before  
8           your testimony; but you --

9                     I had understood you reviewed video that  
10           was produced to us from the day of January 7, 2021  
11           before your testimony, right?

12           A.     The video that I looked at yesterday?

13           Q.     Yes.

14           A.     Yeah.

15           Q.     Okay.

16           A.     I mean, I thought he meant and, you know,  
17           now.

18           Q.     Right. And I -- I'm not -- I -- I just  
19           want to make sure we understand --

20           A.     Uh-huh.

21           Q.     -- sort of chronology -- chronology of  
22           what you learned when.

23                     Before your deposition today, you  
24           reviewed -- and -- And I don't want to get into any  
25           communications with counsel.

1                   So all I'm asking you is: Before your  
2 deposition today, you reviewed video that was  
3 produced to us by the County for the day January 7,  
4 2021?

5                   A. Yes.

6                   Q. Okay. When you reviewed that, whenever  
7 that was, did you see at that time that Mr. Voyles  
8 was -- was coming and going from the office with  
9 these individuals who were let in that day?

10                  A. Yes.

11                  MR. CROSS: Okay. All right.

12                  Okay. I -- I don't have any further  
13 questions.

14                  The one thing I did neglect to mention  
15 earlier is we get asked about attachments to  
16 e-mails. Miss Herzog was going to get us those.

17                  MR. DELK: I think she's still working on  
18 it.

19                  MR. CROSS: Okay.

20                  MR. DELK: I'd have to defer to Jennifer  
21 on that.

22                  MR. CROSS: Okay. All right.

23                  MR. DELK: But, by all means, follow up;  
24 and we'll --

25                  MR. CROSS: Okay.

1 MR. DELK: -- see about it.

2 MR. CROSS: All right. Yeah. Like I said  
3 before, we'll reserve on some of the issues we  
4 raised today on keeping the deposition open, but  
5 we'll talk about that off the record.

6 THE VIDEOGRAPHER: Anybody else have any  
7 questions?

8 MR. MILLER: Just a couple.

9 MR. BROWN: No.

10 MR. MILLER: Very short.

11 Bruce, can go ahead.

12 MR. CROSS: Bruce, did you say no?

13 MR. BROWN: I said no.

14 MR. CROSS: Okay.

15 MR. BROWN: But that will be Carey.

16 MR. CROSS: Go ahead, Carey.

17 RECROSS-EXAMINATION

18 BY MR. MILLER:

19 Q. Mr. Stone, just real briefly, Plaintiff's  
20 Exhibit 14, I think you have that in front of you, or  
21 just looked at it a second --

22 A. Which --

23 Q. -- ago.

24 A. Which one is 14?

25 Q. Those are the text messages?

1 MR. DELK: That's the big set of text  
2 messages.

3 Q. (By Mr. Miller) Yeah.

4 A. This right here (indicating)?

5 Q. And if you recall, Mr. Cross represented  
6 to you these were text message between Misty Hampton  
7 and Eric Chaney, right?

8 A. Yes.

9 Q. Okay. You were never on these text  
10 messages, right?

11 A. No.

12 Q. Okay. You've never seen this document  
13 before today, right?

14 A. I've never.

15 Q. Okay. And the picture that Mr. Cross  
16 showed you, that came from Misty Hampton, correct?

17 MR. DELK: Which picture.

18 THE WITNESS: The picture --

19 Q. (By Mr. Miller) Let's go to the page.  
20 And I could not recall off the top of my head. With  
21 the ballot --

22 MR. CROSS: He's talking about --

23 THE WITNESS. This (indicating)?

24 Q. (By Mr. Miller) If you'll turn to Page  
25 13. No, no. With the same --



1 MR. DELK: The text message thing.

2 THE WITNESS: Oh. Oh.

3 Q. (By Mr. Miller) Plaintiff's Exhibit 14,  
4 Page 13.

5 A. Oh, Page 13. Okay. This (indicating).

6 Q. That picture?

7 A. The picture of the ballot?

8 Q. Yes.

9 A. Oh.

10 Q. And I believe you and Mr. Cross discussed  
11 this. But you understand that the green messages --  
12 Since this was obtained from Miss Hampton's phone,  
13 green messages are --

14 A. Misty.

15 Q. -- coming from Miss Hampton now?

16 A. Yes.

17 Q. Gray coming in from --

18 A. Yes.

19 Q. -- Mr. Chaney?

20 Okay.

21 A. I say yes. That came from Misty.

22 Q. That picture came from Misty?

23 A. Those pictures came from Misty.

24 Q. Right. The same Misty that falsified her  
25 timesheets, right?

1 A. That's correct.

2 Q. And the same Misty that falsified receipts  
3 for reimbursement, right?

4 A. That's correct.

5 Q. The same Misty that filmed this  
6 adjudication video that encouraged your lack of  
7 confidence in the voting system, right?

8 A. That's correct.

9 Q. Okay. Mr. Stone, you were asked about  
10 pictures of a large black box. You had a defense  
11 exhibit in front of you and one of the Plaintiff's  
12 Exhibits in front of you, right?

13 A. Yes.

14 Q. Mr. Cross was pointing out indentions or  
15 lack thereof that may or may not exist on that box.  
16 Do you recall that?

17 A. I do.

18 Q. Okay. All right. Are you -- Do you have  
19 any training in identifying objects like that?

20 A. I don't.

21 Q. Okay. Mr. Stone, since the incident on  
22 January 7th and the replacement of the EMS server,  
23 Coffee County has conducted elections, correct?

24 A. We have.

25 Q. Okay. And you've certified the results of

1 all those elections, right?

2 A. Yes.

3 Q. Okay. Have you had any issues similar to  
4 those which arose with Miss Hampton that prevented  
5 you from certifying the November 2020 election?

6 MR. CROSS: Objection to form.

7 What issues?

8 THE WITNESS: Okay. Ask the question  
9 again.

10 Q. (By Mr. Miller) Let me do a backup  
11 question. So in November of 2020, there was some  
12 consternation amongst the Board over certifying the  
13 election results, right?

14 A. Yes.

15 Q. Okay. You recall that situation?

16 A. I do recall that. Yes.

17 Q. Okay. My question to you is: Has any  
18 issue arisen in the elections conducted after the  
19 replacement of the EMS server that caused similar  
20 consternation of the Board?

21 A. No.

22 Q. Okay. And, Mr. Stone, are you aware that  
23 Mr. James Barnes testified the issues around the  
24 November 2020 election were the result of Miss  
25 Hampton not cleaning the scanner as directed by

1 Dominion documentation?

2 A. I --

3 MR. CROSBY: Objection to form.

4 THE WITNESS: I was aware --

5 MR. CROSS: That misstates the record. He  
6 wasn't even there.

7 THE WITNESS: I -- I was aware that he  
8 mentioned that.

9 Q. (By Mr. Miller) That he had come to that  
10 that conclusion?

11 MR. CROSS: Objection to form.

12 THE WITNESS: I was aware of that.

13 MR. MILLER: Okay. That's all I have.  
14 Thank you, Mr. Stone.

15 THE WITNESS: Well --

16 MR. DELK: And we will read and sign.

17 THE VIDEOGRAPHER: The time is 4:03 p.m.  
18 This concludes the videotape deposition for  
19 today. We are off video record.

20 (Whereupon, the deposition was concluded  
21 at 4:03 p.m.)  
22  
23  
24  
25

C E R T I F I C A T E

STATE OF GEORGIA:

County OF FULTON:

I hereby certify the foregoing transcript was taken down, as stated in the caption, and the questions and answers thereto were reduced to typewriting under my direction; that the foregoing pages 1 through 282 represent a true, complete, and correct transcript of the evidence given upon said hearing, and I further certify that I am not of kin or counsel to the parties in the case; am not in the regular employ of counsel for any of said parties; nor am I in anywise interested in the result of said case.

This, the 6th day of September, 2022.



S. JULIE FRIEDMAN, CCR-B-1476

## VERITEXT LEGAL SOLUTIONS

## FIRM CERTIFICATE AND DISCLOSURE

Veritext represents that the foregoing transcript as produced by our Production Coordinators, Georgia Certified Notaries, is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the certified court reporter in this case. Veritext further represents that the attached exhibits, if any, are true, correct and complete copy as submitted by the certified reporter, attorneys or witness in this case; and that the exhibits were handled and produced exclusively through our Production Coordinators, Georgia Certified Notaries. Copies of notarized production certificates related to this proceeding are available upon request to litsup-ga@veritext.com. Veritext is not taking this deposition under any relationship that is prohibited by OCGA 15-14-37(a)and(b). Case-specific discounts are automatically applied to all parties, at such time as any party receives a discount. Ancillary services such as calendar and financial reports are available to all parties upon request.

1 Stephen Delk, Esquire  
2 sdelk@hallboothsmith.com  
3

4 RE: Curling, Donna v. Raffensperger, Brad  
5 9/1/2022, Wendell Stone (#5420909)

6 The above-referenced transcript is available for  
7 review.

8 Within the applicable timeframe, the witness should  
9 read the testimony to verify its accuracy. If there are  
10 any changes, the witness should note those with the  
11 reason, on the attached Errata Sheet.

12 The witness should sign the Acknowledgment of  
13 Deponent and Errata and return to the deposing attorney.  
14 Copies should be sent to all counsel, and to Veritext at  
15 cs-midatlantic@veritext.com  
16

17 Return completed errata within 30 days from  
18 receipt of testimony.

19 If the witness fails to do so within the time  
20 allotted, the transcript may be used as if signed.  
21

22 Yours,  
23 Veritext Legal Solutions  
24  
25

Curling, Donna v. Raffensperger, Brad

Wendell Stone (#5420909)

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Wendell Stone

Date



Curling, Donna v. Raffensperger, Brad

CC Bd. of Elections Wendell Stone (#5420909)

ACKNOWLEDGEMENT OF DEPONENT

I, Wendell Stone, do hereby declare that I  
have read the foregoing transcript, I have made any  
corrections, additions, or changes I deemed necessary as  
noted above to be appended hereto, and that the same is  
a true, correct and complete transcript of the testimony  
given by me.

\_\_\_\_\_  
Wendell Stone

\_\_\_\_\_  
Date

\*If notary is required

SUBSCRIBED AND SWORN TO BEFORE ME THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS  
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at [www.veritext.com](http://www.veritext.com).